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Consideration of reports submitted by States parties under article 44 of the Convention

Combined initial to sixth periodic reports of States parties due in 2011

Nauru*

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Acronyms and abbreviations

AM	Accompanied Minor
CAPS	Claims Assistance Providers Service
CI	Confidence Interval
CRC	Convention on the Rights of the Child
DIBP	Department of Immigration and Border Protection
DJBC	Department of Justice and Border Control
DV	Domestic Violence
DVU	Domestic Violence Unit
IMR	Infant Mortality Rate
MDG	Millenium Development Goals
MR	Mortality Rate
NCD	Non-Communicable Disease
NPF	Nauru Police Force
NSDS	National Sustainable Development Strategy
RPC	Regional Processing Centre
RSD	Refugee Status Determination
RSDO	Refugee Status Determination Officer
SAM	Single Adult Male
STI	Sexually Transmitted Infections
U5MR	Under Five Mortality Rate
UAM	Unaccompanied Minor

I. Summary

1. Nauru ratified the Convention on the Rights of the Child ("CRC") on 27 July 1994. In 2000, Nauru became a signatory to the Optional Protocol to the CRC on the Sale of children, child prostitution and child pornography; and the Optional Protocol to the CRC on children involved in armed conflict.

2. The Government of Nauru have a ratified the:

(a) Convention on the Elimination of All forms of Discrimination against Women (2011);

(b) Convention on the Rights of Persons with Disabilities (2012);

(c) Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (2012);

(d) Optional Protocol to the Convention against Torture and other Cruel, Inhuman or Degrading Treatment or Punishment (2013).

3. Additionally, the Government of Nauru have also signed the:

(a) International Covenant on Elimination of all forms of Racial Discrimination;

(b) International Covenant on Economic Social and Cultural Rights;

(c) United Nations Convention against Transnational Organized Crime; and

(d) Convention relating to the Status of Refugees and its 1967 Protocol.

4. Since the ratification of the Convention, the country's reporting obligations have been affected by a multitude of factors including resource constraints (financial and human), social, economic and political factors that have given rise to other competing obligations, affecting overall implementation and reporting obligations on the Convention on the Rights of the Child.

5. Nauru has made commendable progress in fulfilling its obligations under the convention. There has been a reduction of fifty percent Infant Mortality Rate ("IMR") and a thirty percent decrease in under five Mortality Rate (U5MR) with ninety five percent Confidence Interval (95%C I). Maternal mortality (MM) is low. Child mortality rate is significantly lower by nearly two thirds from 1990 until 2015. Between 2005 and 2008 the mortality rate was 171/100,000.

6. It is crucial to note that numerous targets of the Millenium Development Goals ("MDG") have been attained. The proportion of people whose income is less than one dollar a day and people who suffer from hunger have more than halved. The opportunity for boys and girls alike is resourced to enable children to complete a full course of primary schooling.

7. Regular antenatal, post-natal and family planning clinics are in place to achieve an improved maternal health. A tuberculosis ("TB") wing of the Republic of Nauru Hospital ("RONH") was constructed in 2009 to accommodate patients with TB. The HIV/AIDS and sexually transmitted infections ("STI") campaign has been ongoing for more than a decade. An STI clinic was launched in 2000 availing screening, surveillance and treatment programs to everyone. There are no cases of HIV/AIDS in the state as yet however strategic activities have progressed to counteract should any case arise.

8. Nauru Public Health is executing the National Non-Communicable Diseases ("NCD") plan focusing on physical activity, nutrition, alcohol, and tobacco control. All places of work including schools and other public vicinities such as restaurants are now strictly smoke free zones. An "Odon Amo Nanam" (Make foot health your priority) campaign in conjunction with the Foot Health Clinic have been effective in treating foot ailments related to diabetes. It is also the centre of distribution for insulin and glucose level strips.

9. There are no natural fresh water reservoirs in Nauru however the Reverse Osmosis units have been properly maintained for optimal water supply. Water quality standards have been established and efforts towards developing guidelines have seen new domestic fresh water tanks installed for many houses at the expense of government and donor partners.

10. The new Nauru Housing Scheme has provided houses for Nauruans as well as renovation and refurbishment for houses in very poor condition. Although the land tenure system prevents planned land use it encourages random building by landowners.

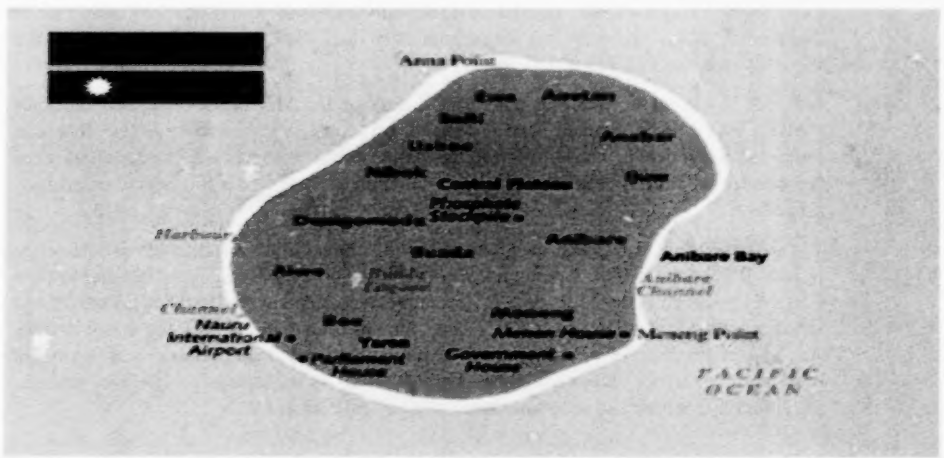
11. The quality of school education has gradually improved with readily available educational resources (financial and human). There are developments of other programs that address the rising issues of teenage parenthood and those who became parents during their teenage years. The truancy policy is in good progress with the implementation process.

12. This report highlights Nauru's achievements and challenges across normative, policy and programmatic frameworks adopted by the State on the implementation of the Convention on the Rights of the Child.

II. Introduction

13. The Republic of Nauru formerly known as Pleasant Island is an island country in Micronesia in the South Pacific. Its nearest neighbour is Banaba Island in Kiribati, 300 kilometers to the east and north-east of Australia. The country lies 42 kilometers south of the equator. A coral reef surrounds the entire island which is dotted with pinnacles.

Figure 1
Map of Nauru



14. Nauru was discovered by the British sea captain John Fearn in 1798 who named it Pleasant Island. In 1888 Nauru was occupied by Germany, calling it Nawodo and was incorporated into Germany's Marshall Islands Protectorate. In 1914, Nauru was captured by Australian troops and in 1919 with agreement of the Allied and Associated Powers, administering authority was given to His Britanic Majesty under the League of Nations mandate. In 1947, it was approved by the United Nations that the UK, Australia and New Zealand will be the joint administering authority. Appointment for the Administrator of the island was decided by the three governments although in practice administrative powers were exercised by Australia alone. Self-governance of Nauru began in January 1966. After the completion of a two year constitutional convention, Nauru gained its independence on the 31st of January, 1968 becoming The Republic of Nauru.

15. Phosphate, the main national revenue was discovered in Nauru by prospector Albert Fuller Ellis in 1900. In June 1970 the control of the phosphate industry was passed from the British Phosphate Commissioners to the Nauru Phosphate Corporation which in turn was handed over to Ronphos in 1995.

16. The Nauruan population has been twice significantly reduced to less than one thousand people. First in 1920, caused by an influenza epidemic with a decrease of an eighteen percent mortality rate and after World War II when only 737 Nauruans survived Japanese captivity.

17. Based on the 2011 census, the total population was 10,084 (5,105 males and 4,979 females). This compares with 9,233 people in 2006 – an increase of 9%. This population increase represents an average annual growth rate of 1.8% which is equivalent to 170 people per year for the period 2006-2011. Close to four thousand out of the total population are below the age of 15 years, and 1,948 make up the total between 15 to 24 years of age.

18. Traditional fishing, noddy bird catching, frigate bird taming, Dogoropwa (stick dancing) and mat weaving as well as components of other forms of art and crafts are some of the preserved cultural practices. Cultural sports such as "itsibeb" are only played during historical events such as "Angam Day". It is an occasion on which Nauru celebrates the population count reaching 1000 with the birth of a child after the population was threatened by influenza in 1920 and post-World War II in 1945.

19. Nauru is predominantly a matrilineal society. Women are highly respected members of the tribes and the community. Legends of Nauru feature the woman as being the main character. Violence against women is shunned by the older generations of the Nauruan community. Each tribe is named after an indigenous insect or animal symbolized in the Nauruan flag as the twelve pointed star except for the Iruwa which means foreigner. Inter-clan marriage was forbidden between the head (royals) and the tail (commoners). A child belonged to the mother's tribe as landownership is inherited maternally.

20. The resumption of phosphate mining and exporting in 2005 gave Nauru's economy a much needed boost. The secondary deposits of phosphate have an estimated remaining life of about 30 years. Other assets of Nauru are listed in order of national revenue generation: (a) fishing licenses; (b) visa fees which include asylum seeker and refugee visas; (c) custom duties which include tobacco, alcohol, sugar, machinery, petrol sales, diesel sales and JetA1; (d) fuel sales; (e) income from other State Owned Enterprises; (f) Ronphos royalties; (g) taxation revenue; (h) civil aviation revenue; (i) port fees and (j) telecom tax and dividends.

21. There are three parts of the Regional Processing Centers ("RPC") in Nauru. Each of the three parts is on a different location. RPC 1 is the administrative site where the Australian Department of Immigration and Border Protection ("DIBP") Office, International Health and Medical Services ("IHMS") are situated including personnel of Save the Children ("SCA") and Transfield Services are housed. RPC 1 also hosts the

Asylum Seeker recreational programs as well as the Refugee Status Determination ("RSD") interviews. RPC 2A is allocated for single adult males ("SAM"). RPC 2B accommodates single adult males who are a high level security risks to themselves or to other asylum seekers. RPC 2C houses single adult males who are awaiting decisions of the RSD. RPC 3 lodges families and single adult females ("SAFs"). A special section of RPC 3 is assigned to Unaccompanied Minors ("UAMs") who are below the age of eighteen and under the guardianship of the Minister for Justice and Border Control. Significant to note is that all UAM's have been granted refugee status and are living in the designated refugee lodges.

22. There are five refugee lodges on the island housing families, UAM's, single adult females and single adult males. Refugees are provided with free bus service, free education, free health services and employment opportunities in Government including non-government entities.

23. Refugee Status Determination ("RSD") Interview is processed by qualified refugee where the asylum seekers' claims for their fear of persecution are interviewed by Refugee Status Determination Officer ("RSDO's"). Families with children and UAM's have been granted refugee status. Refugee Status is either granted or denied by the Secretary of Justice Border and Control according to the recommendations put forward by the RSDO and the Refugee Status Determination ("RSD") Lawyers.

24. Nauru is the first language of learning in the home and in early child hood education. Corporal punishment at school has been abolished and is considered a serious offence. However it is still an issue in the home front where there is a thin barrier between discipline and child abuse. The biblical belief of "spare the rod, spoil the child" is still a principal of discipline in the Nauruan society.

25. Nauru is known to be a country that is free from intense natural disasters. Only aftermaths of severe weather such as cyclones, hurricanes and strong storms from neighboring countries is experienced on island in the form of heavy rainstorms and rough seas. There have been several tsunami alerts and warnings consequents of earthquakes in distant parts of the pacific region but none that have actually been encountered. King tides are the most prominent ocean risks that have crossed the coastline roads of Nauru causing sea and beach debris to obstruct the northern main roads. It does not have any volcanoes although it is a geological theory that Nauru's mushroom shape was formed from a seabed volcanic eruption. Tectonic movements from millions of years ago have moved the seabed volcano away from underneath Nauru.

III. General Measures of Implementation

Measures taken to harmonize National Law and Policy with the provisions of the Convention

26. The preamble to the Conventions on the Rights of the Child ("CRC") states that, "…proclaimed and agreed that everyone is entitled to all the rights and freedoms set forth therein, without distinction of any kind, such as race, colour, sex, language, religion, political or other opinion, national or social origin, property, birth or other status."

27. Part II of the Constitution of Nauru in its Preamble provides for the "Protection of the Fundamental Rights and Freedoms" without distinction of any kind as to race, place of origin, political opinions, colour, creed or sex. Though the words "Children or Child" are not specifically stated, they are implied by the word "everyone". Additionally, the rights guaranteed, espoused and protected by the Constitution includes and is not limited to the

right to life, protection, expression, assembly and other fundamental rights. This is articulated under Article 3 of the Constitution of Nauru.

28. The Constitution of Nauru was put to a referendum in 2010 but did not receive the seventy five (75%) percent of votes it required to be amended. It proposed that maternity leave was to be legally supported in all lines of work through the government and private sectors. At present some private companies do not allow for maternity leave therefore expecting mothers are supposed to resign at the time of birth.

29. Another proposition was the improvement of worker's rights where work time was to be covered by appropriate salaries hence overtime would have to be implemented again. At the moment only private companies and corporations such as Nauru Rehabilitation Corporation, Eigigu Holdings Corporations and the Republic of Nauru Phosphate Corporation as well as the RPC service providers are practicing overtime payments.

30. The Public Service Act, 1998, Section 28, Subsection (9) states, "Overtime shall be recorded and, subject to the approval in each case of the Chief Secretary, or of an officer whom he authorizes for the purpose, the officer shall be granted time off work equivalent to the period of overtime worked." The Nauru Police Force is the only government institute that has been approved overtime in salary from and risk allowances that are paid out after situations of riots and other code orange or code red emergencies. The Nursing Section of the Health and Medical Services have included in their policies the payment of risk allowances that is paid to staff who handle hazardous and heavy waste materials and they are also paid nightshift allowances where the hospital has especially experienced nurse shortage. All other government instrumentalities are authorized to take time off as stated by the Act.

31. Currently, access to government information is made readily available to the general public. The Government Information Office provides daily information on government activities including employment opportunities, development initiatives undertaken by government and in partnership with other development partners and or donors, meeting updates undertaken by senior government officials. This information is accessible to all government employees and the general public. In addition, the GIO prepares and distributes media releases for the Nauru government and publishes a fortnightly newsletter called the Nauru Bulletin which contains news and information on government ministries and its instrumentalities. The Nauru Bulletin is circulated via email both on Island and abroad. The Government has also established a new Twitter account.

32. Article 4 of the Constitution of the Republic of Nauru provides for the protection to the right to life, however an exception is provided for parliament to pass a law imposing the death penalty. Parliament has yet to invoke a law on the death penalty and it is unlikely given its commitment and signing of the International Covenant on Civil and Political Rights and the Second Optional Protocol to ICCPR. It is envisaged that this will be progressively realized upon further consultation with government and relevant stakeholders. In addition, the Constitutional Review Commission Report of 2009 found that generally the exception on the death penalty was to be completely removed from the Constitution. Parliament will need to agree for a Bill requiring the amendment of Article 4 of the Constitution and getting the required two third (2/3) for parliamentary approval.

33. Section 51 of the Interpretation Act of 2011 states that it is acceptable that in interpreting a written law, material not forming part of the written can be applied, used or considered to: "(a) Resolve an ambiguous or obscure provision of the law; or (b) Confirm or displace the apparent meaning of the law; or (c) Find the meaning of the law when its apparent meaning leads to a result that is clearly absurd or is unreasonable".

34. Additionally, section 52 (1) states that for section 51, the following material may be considered in interpreting an Act: "(a) Material, not forming part of the Act, contained in an

authorized version of the Act; (b) Any relevant report of a commission, committee (including a committee of Parliament) or other similar body that was tabled in Parliament before the Act was passed; (c) Any relevant treaty or other international agreement to which Nauru is a party; (d) The explanatory memorandum for the Bill that became the Act, or any other relevant document, that was tabled in Parliament before the Bill was passed; (e) The second reading speech made to Parliament during the passage of the Bill that became the Act; (f) Official reports of proceedings in parliament in relation to the Bill that became the Act".

35. Section 52 (2) states that for Section 51, the following material may be considered in interpreting a statutory instrument: "(a) material, not forming part of the instrument, contained in an authorized version of the instrument; (b) any relevant report of a commission, committee (including a committee of Parliament) or other similar body that was tabled in Parliament: (i) if the instrument was tabled in Parliament – with the instrument or before the instrument was tabled; or (ii) otherwise – before the instrument was made; (c) any relevant treaty or other international agreement to which Nauru is a party; (d) if the instrument was tabled in Parliament: (i) the explanatory memorandum for the instrument, or any other relevant document, that was tabled with the instrument; and (ii) the tabling statement made to Parliament in relation to the instrument; (iii) official reports of proceedings in Parliament in relation to the instrument. (3) This section does not limit the material that may be considered in interpreting a written law".

36. The Government of Nauru is committed to the promotion and protection of the rights of children and is currently conducting a comprehensive review of existing laws to ensure compliance and harmonization with the provisions of the Convention on the Rights of the Child. Currently, there is no separate child protection legislation in Nauru, although a request has been made to the Secretariat of the Pacific Community, to either include child protection provisions in the stand-alone DV legislation being drafted in regards to family violence; or to draft a stand-alone Child Protection legislation. In the interim, a mandatory reporting policy has been drafted for consideration by Cabinet which includes duties by occupational groups including education department personnel, police, doctors, nurses, emergency services personnel, child protection and counselling staff to report cases of child abuse and/or neglect to child protection services.

37. Work continues to replace the Criminal Code 1899 with a new Nauru Criminal Code. The Australian Attorney Generals' Department (Pacific Section) is working with the Department of Justice and Border Control and the Nauru Police Force to draft a new Criminal Code for Nauru, in three separate parts. The first part, concerning offences against the person, is the part of most relevance in terms of compliance with CEDAW. It is envisaged that all of the existing gender distinctions and discriminatory provisions will be removed in the new Code. The passage of this important law reform through Parliament will allow for and ensure compliance with the obligations of CEDAW. Suffice to say that there is now a strong call for stand-alone domestic violence legislation. The objective of the new Criminal Code is to modernize Nauru's criminal laws so that it can meet the interests and needs of the developing society and the various facets of the criminal justice system.

38. Most of the sexual offences in the Nauru Criminal Code are located in Chapter XXII of the Criminal Code. While these offences cover a broad range of sex offences, they do not include many modern offences, particularly in relation to child sexual exploitation and assault of a person. Consequently, this indicates more options for criminal culpability of violence instigated by men against women.

39. The new Criminal Code will also move all sexual offences to one Division, which makes it more user friendly for the Nauru Police Force and the Director of Public Prosecutions when proffering the appropriate charge for offences containing violence against women. Other new developments that will be seen in the Criminal Code is the

offence of stalking, which is designed to capture behaviours that stops short of assault, but which could raise fear or apprehension in the victim. It can also be used to prosecute a person prior to the commission of a more serious offence. Consent in sexual offenses by women is a common issue, which traverses all offences containing violence against women and so the Criminal Code proposes to address this fundamental issue by providing a non-exhaustive list of circumstances in which consent is not taken to be given freely and voluntarily, for example, if force is used.

40. Additionally, the enactment of the Cyber Crime Act 2015 makes the act of bullying in any form and manifestation illegal and a crime. The Cyber Crime Act 2015 is a significant piece legislation aimed exclusively at cyber safety particularly the protection of children from abuse. The Cyber Crime Act 2015 was enacted by parliament to combat the growing cases of sexual assault and abuse of minors via social media. Cybercrime is used to describe both: crimes directed at computers or other information communications technologies ("ICTs") (such as hacking and denial of service attacks), and crimes where computers or ICTs are an integral part of an offence (such as online fraud, identity theft and the distribution of child exploitation material.

41. In addition, it is significant to note that the Government of Nauru has enacted the following legislation giving effect to specific provisions of the Convention on the Rights of the Child namely: (a) Counter-Terrorism and Transnational Organized Crimes Act 2012; (b) Immigration Act 1999; (c) Interpretation Act 2011; (d) Naoero Citizenship (Amended) Act 2015; (e) Adoption (Amended) Act 2015; (f) Cybercrime Act, 2015 and (g) Education (Amended) Act 2015.

42. Already in existence are the Guardianship of Children Act, 1975 which defines and regulates the authority of parents as guardians of their children, their power to appoint guardians and the powers of the Courts in relation to the custody and guardianship of children; Births, Deaths and Marriages Act, 1957 that came into force on the 15th of April, 2011, providing for the registration of births, deaths and marriages also stating the legal age of marriage; Adoption Act, 1965, an ordinance relating to the adoption of children and was recently amended in May 2015; Compulsory Education Ordinance 1921-1925 this was an ordinance used during Australia's administration of Nauru but has not been enforced in Nauru; Family Court Act, 1973; Illicit Drugs Control Act, 2004 which came in force on the 26th November, 2008 providing for ways and means to check and prohibit the abuse of dangerous drugs, narcotics, intoxicants and other psychotropic substances; Legitimation Act, 1959 relating to the legitimation of children born before marriage on the subsequent marriage of their parents; Maintenance Act, 1959 that supports the maintenance of wives and children; Maintenance Orders (Reciprocal Enforcement) Act 1973 which facilitates the recovery of maintenance by and from persons in Nauru from or by persons in other countries and to extend the jurisdiction of the Family Court to hear complaints by or against persons outside Nauru; Matrimonial Causes Act 1973 encompassing new provisions relating to matrimonial causes, maintenance and declarations of legitimacy; Mentally Disordered Persons Act, 1963; Nauru Lands Committee Act, 1956 came into force on 10th of October, 2012 that supports the definition of a child that constitutes the Nauruan Community; Public Health Ordinance 1925 came into force on 14th of October, 1983 for the safety of the Public Health of the Republic of Nauru; Diplomatic Privileges and Immunities Act 1976 which gives effect to the Vienna Convention on Diplomatic Relations ensures the protection of children of a diplomatic agent as member of his or her household therefore are violable in the hosting countries and the Correctional Act, 2009 that provides for the imprisonment of a child.

Nauru Gender Country Plan 2014

43. The Nauru Gender Country Plan has already taken place with the deployment of a full-time psychosocial counsellor at the Republic of Nauru Hospital (RONH) for men, women, boys and girls affected by domestic violence, alcohol and teen pregnancy. Following this a referral system between RON Hospital through doctors and treatment staff, schools through liaison officers, NPF via the DV unit and safe house is in the end stages of establishment.

44. In July, 2015 the Ministry of Home Affairs invited the Regional Rights Resource Team to facilitate a "Violence Against Women (VAW), Human Rights and CRC" Consultation with Faith Based Organizations (FBO's) represented by Nauru Congregational Church and the Catholic Church; various stakeholder ministries like the Department of Justice and Border Control; and the Department of Home Affairs with representatives from the CPS, Women's and Youth divisions; the Nauru Police Force Domestic Violence Unit; Parliament House spokesperson; Nauru Disabled People's Organization (NDPO) and several community leaders. The Nauru Law Reform Process was also explained to the participants as well as the procedures on presenting private and government bills. This consultation was based around the proposal of a stand-alone Domestic Violence Legislation or a Family Protection Act which is one of the priorities of the Government of Nauru.

45. Recommendations were put forth by the participants that the Ministry of Home Affairs must work towards the realization of a Family Protection Act/ Domestic Violence Legislation. Additionally a working group to begin community awareness and consultations on the contents of the Bill has been established for this purpose. This taskforce will have the responsibility of bringing back feedback from the public as well as promulgating correct information on the scope of contents that can be included in the Bill. One of the initiatives of the Nauru Gender Country Plan, 2014 is the amalgamation of civics education of Domestic Violence into the school curriculum.

National Family Health Survey Study 2014

46. In 2014 the Women's division of the Ministry of Home Affairs with the technical support of the United Nation Family Protection Association ("UNFPA") and financial support of Australian Aid ("AusAid") conducted the Nauru Family Health and Support Study ("NFHSS"). The NFHSS was an exploratory study on violence against women and girls. Additionally, debate centered on the outcomes of the study with some indicating that results were misrepresented as out of the five hundred women and girls randomly selected as participants for the study only one hundred and forty eight agreed to take part in the survey. Reasons were that it was a sensitive issue that could cause jeopardy in the family homes despite its confidentiality restraints. However, it provided a good basis for effective recommendations and planning for improving the lives of families especially children within the families. The findings of the NFHSS report were fully disseminated through the publication of brochures, on-air television and radio interviews to raise awareness at the community level of impacts of VAW on children.

47. Gender Based Violence (GBV) Counselors have been trained with the basic skills of GBV counseling and have already started working with women and children who are victims of a domestic violence situation. In addition, the Government of Nauru in its commitment to ensuring that capacity is built has approved official studies for one of the GBV counselors. Community policing is a program operated by Nauru Police Force to present in schools on the procedures of reporting being witnesses or being victims of criminal acts including sexual violence or physical abuse. This occurs all throughout infant level up to secondary level institutes.

National Disability Policy 2015

48. The Government of Nauru now have in place a National Disabilities Policy ("NNPD") which provides for protection and guarantees of fundamental freedoms for persons with disabilities. In addition, the National Disability Policy was developed in partnership with regional and international organization's and in line with the principles contained under the Convention on the Rights of Persons with Disabilities. The Nauru National Policy on Disability 2015 sets out a comprehensive framework to address the needs and rights of persons with disabilities in particular to improve the quality of their lives and their full and equal participation as empowered citizens.

49. The NNDP reflects Nauru's vision of a disability-inclusive and barrier-free society where persons with disabilities are able to enjoy all human rights on an equal basis with others, and to live a life of dignity. The vision also reflects key principles and core values articulated under the Convention on the Rights of Persons with Disability (CRPD) to which Nauru acceded in June 2012, in particular the principles of non-discrimination, respect for inherent dignity, and full and effective participation and inclusion. It identifies priority strategic areas for building greater inclusion and dismantling the barriers that hinder the full participation of persons with disabilities in the political, cultural social and economic life of Nauru. Significant to note, the CRPD provides an overall guiding framework for the Nauru National Policy on Disability, and is referenced in each priority area along with two key regional frameworks – the Incheon Strategy to Make the Right Real for Persons with Disabilities in the Asia Pacific Region 2013-2022 and the Pacific Regional Strategy on Disability (PRSD): 2011-2015. Nauru is a party to both key regional frameworks.

National Sustainable Development Strategy 2005-2015 (revised in 2009)

50. The National Sustainable Development Strategy (NSDS) 2005-2025 which was revised in 2009, various milestones have been achieved.

Education

51. Net enrolment ratio for primary school students is within the fifty five percent to eighty two percent range at the beginning of term one since 2012 until 2015 as shown in the table below. These figures are an inclusive representation of children entering into grade one in 2012 and stay in schools at the beginning of higher primary level which is grade four in 2015. It shows that between sixteen to twenty five percent are no longer attending the local schools. It should be taken into account that this is usually the year levels at which parents start to send their children overseas to Fiji for schooling. As well as that inter-school transfers also occur mostly from Kayser College (KC) to Yaren Primary School (YPS) or Nauru Primary School (NPS).

Figure 2
Monthly attendance comparisons from 2012 to 2015 – taken from the Ministry of Education Statistics division

Primary Schools

NPS	2012	74	73	74	72	69	66	65		62
	2013	78	76	77	69	64	63	65	63	59
	2014	61	57	53	56	59	53	57	45	48
	2015	55								

Primary Schools										
YPS	2012	74	75	68	67	63	61	63	55	
	2013	71	74	69	66	62	69	65	62	
	2014	61	52	41	71	73	69	65	39	
	2015									
KC	2012	82	75	68	66	64	61			
	2013	79	79	71	66	63	60	61	57	51
	2014	67	54	48	50	35	46	37	28	30
	2015	57	60							

52. In 2006 to 2007 it was compulsory for all teachers without qualifications to be trained in an in-service basic teaching program which was held after school hours and during the school holidays. It was a run-through from early childhood teaching up to higher secondary teaching. In 2008 to 2010 more than seventy percent of teachers were qualified up to Diploma level with the University of the South Pacific through in-service methods. In 2010 to 2012 this group of teachers were offered with a choice to continue on to Degree level with Papua New Guinea's Divine Word University. This saw twenty five local teachers gain a Bachelor in Primary Education from various levels of learning.

53. In 2013 the University Of New England (UNE) from Sydney Australia has taken on the role of upraising thirty local teachers from infant level to higher secondary level including special education. They will be receiving their Advanced Diploma in Education by the end of 2015. The Department of Education will enter into a new contract in 2015 with TAFE Queensland for the training of TVET trainers and certificate programs for Technical Vocational certificates for Secondary School level courses and Tertiary level training.

54. At lower secondary level at year eight an annual National Scholarship Examination offers fifteen local students an opportunity to continue their education in Fiji. In 2012 a new scholarship scheme was put in place allowing three local students based on National Scholarship Examination marks to attend schools in Queensland, Australia. Scholarship opportunities have also extended up to year twelve. At current three year twelve students are in Australia studying under the Queensland Curriculum Education Program. There is a ninety percent pass rate for students who have completed their high school overseas to successfully enter into regional tertiary study. Ausaid, NZaid, Japan Scholarship and Taiwan Embassy scholarships are well known aggregates for overseas tertiary education. At the local aspect of education there is still a need to increase pass rates amongst year twelve students attending Nauru Secondary School, the only higher secondary institute in the state.

Youth development – NYP, 2009-2015

55. A comprehensive and consolidated National Youth Policy (NYP), 2009 was developed by the Nauru Youth Affairs ("NYA") a division within the Ministry of Home Affairs. NYA was originally established under the Ministry of Education in 1992 then transferred Ministries in 2009 where it remains. However, due to financial constraints at the time of completing the final draft, the Nauru Youth Policy paper was never formally adopted. Discussions are in progress to review its contents and submit for cabinet endorsement. The Nauru Youth Policy outlines five core strategies which provide guidelines for key programmes designed to address the emerging issues affecting young people of Nauru. These are: (a) skills development through Formal and Informal Education;

(b) employment and income generation, (c) social development, (d) supportive environment and (e) cross cutting initiatives.

56. Skills Development through Formal and Informal Education aims to build the capacity of young people. It focusses on skills that are not offered by the formal education system. This will give alternatives for young people to gain necessary skills to participate in income earning and self-sustaining activities through employment or self-employment. Skills training programmes have been developed taking into consideration an appropriate learning approach that is delivered at both national and community levels. Other skills development opportunities in the private sectors and government sectors have also be utilized. NYA students who regularly attend classes are eligible to receive weekly allowances through the government Nauru Youth Affairs Scheme. This strategy hopes to decrease school absenteeism, reduce the number of high school drop outs, motivating further prospects of higher learning or tertiary education and vocational training. It endeavors to advocate for trained and qualified teachers. It is a plan that is directly linked to the "FOOTPATH" Education Strategy.

57. Employment and Income Generation intends to facilitate and source employment opportunities for young people. The policy recognizes employment in the form of (i) salaried jobs in the work force and (ii) participating in income generating activities. The participation of NYA students in income generating activities occurs through NYA inter-ministry linkages depending on the preference of the student and the availability of the placement of choice. National and international avenues for market outlets and strengthening mechanisms for entrepreneurial activities are also avenues for students interested in entrepreneurial work. Practicum programmes in the work place have commenced for NYA students similar to the Work Experience Internship Programmes that are offered to formal education students who have completed high school. Students are remunerated on an internship wage. Youth unemployment is currently being addressed through availing youth employment opportunities through NYA. More importantly, it is an edification measure dealing with capacity building for young people as the future workforce and leaders of Nauru.

58. The Social Development strategy encompasses social growth programmes through health and sports. This strategy aims to address poor health, particularly sexual health, alcohol and substance abuse related issues, mental illness and sports in youths. The peer learning model is a vital approach for targeting these sensitive issues at a level that is relevant and effective to the youth demographic. The main objective of this strategy is to create and support the improvement of young people's lifestyles in Nauru. For example peer education removes the stigma of condoms by raising awareness amongst each other about the impacts of unsafe practices in turn making ready availability and easy access to condoms at the Public Health Clinic.

59. The Supportive Environment strategy aims to sustain and support youth initiatives and positive changes undertaken by young people. Youth development efforts can only be maintained within a conducive environment to the youth context. Religion, culture and tradition, families (Parents), community services and support, infrastructure and facilities for youth and law and order are all a part of the young person's environment. This strategy ensures that young people are involved in the decision making process of issues of their concern. These views will be conferred by the local community, faith based organizations (FBO), non-government organizations (NGO) and various government ministries. A supportive environment is crucial for sustainable youth development that is inclusive of young people with disability and mental illness whose needs are gradually being catered for by the community at large.

60. Cross Cutting Initiative is a strategy that enhances the aforementioned approaches. It addresses personal development of young people, focusing on skill and knowledge building

to enable them to be articulate and confident members of society. It also encourages youth participation in community and national development. Prospects for young people in different sectors need to be publicly advertised to ensure that all young people have a chance to apply. This calls for accountable and transparent practices in selecting and awarding opportunities. Abuse of power to discriminate and misuse resources allocated for youth activities need to be taken into account by undertaking legal actions to prevent such practices. The incorporation of lessons learned from other Pacific Island Countries (PIC's) are welcomed to improve the methods undertaken to implement the strategies of the NYP.

61. Exchange programmes and participation in regional and International youth programmes has seen Nauru involved in the recent Youth Parliament Sessions hosted by the Office of the High Commission of Human Rights (OHCHR), held in Nadi, Fiji in 2014 and 2015. It was an optimal opportunity for interested young people to enhance leadership qualities and communication skills as well as familiarize them with parliamentary procedures. It is vital to note that the program is a gender balanced programme encouraging the enthusiasm of young men and young woman alike. Gender sensitivity is considered in all aspects of the implementation and monitoring and evaluation process of the NYP programmes. This is to ensure that issues relating to both young men and women are respected.

62. The Nauru Youth Policy 2009 defines youth as all males and females between the ages of fifteen and thirty four years. A proposal to the review of the NYP is the amendment of the age definition of youth to be reduced to within the range of fifteen and twenty years. In turn this will be complementary to the requirements of the CRC and simultaneously take on board what can be done to help the youths of Nauru which will included the children from 15 to 18 years of age. The NYP calls for a concerted effort by all the Governmental, non-governmental and Civil Society Organization's (CSO's) towards guaranteeing that a spirit of cooperation is consistent during the implementation of the Policy. This will promote sharing of resources and expertise while at the same time eliminating duplication of efforts in fostering partnership and collaboration. The implementation, monitoring and evaluation of the NYA will ensure that the aspirations of young people will be realized.

Department of education annual operation plan 2014/2015

63. The Education reform agenda was introduced in 2010. Critical issues that have been identified in the revised reform agenda 2014 consists of: (a) increasing student rates; (b) improving teacher attendance and punctuality; (c) improving enrolment, completion and transition rates of students; (d) improving learning outcomes of all students; (e) increasing level of literacy and numeracy in each sector; (f) building and sustaining a skilled workforce; (g) providing and maintaining safe, health and welcoming learning facilities and (h) sustaining implementation of recently developed modern and relevant curriculum.

64. The underlying four key objectives of the Annual Operation Plans are: (a) improving quality and access to early years, primary and secondary education; (b) create a proactive and continually improving education system; (c) improved learning outcomes for all students and (d) a sustainable and high quality workforce to meet future education needs.

65. A Truancy Policy was developed with the support of expatriate technical assistance to address the first objective of the Education Annual Operation Plan ("EAOP"). This is provided for in the Education Act, 2011. This is coordinated by the Education Liaison Office ("ELO") that is staffed by a Chief Liaison and one School Liaison for each of the national schools being four infant schools, two primary schools, one secondary school, Kayser College and the Able- Disabled Centre.

66. A certificate of exemption can only be issued by the Secretary for Education through the parent's application of a school-aged child regarding the child being excepted for

vocational training or employment opportunity or where the best interest of the child requires so due to care, health, developmental or education reasons. The cancellation of an exemption can also be issued by the Secretary for Education should the reason no longer apply. This is mandated in the Education Act, 2011, Section 9, Subsection (1) & (2).

67. Prosecution processes are still to be endorsed relating to fines for parents whose children are regular truants without valid reason. Letters have been delivered to parents explaining the new policy and the issuance of fines. The Education Act, 2011, Section 14 Subsection (1) states that the failure to present reasons (in writing or orally) for the absence of a child will acquire a penalty of $50 AUD for a first offence or $250 of subsequent offence in the same school whether or not it relates to the same child. Truancy is still a major obstacle in the education system. Section 17, subsection (1) of the Education Act an employer who hires a school-aged child during school hours is penalized with $1000AUD unless the child is registered for home education or has been issued with a certificate of exemption or is not attending school do to disciplinary circumstances such as expulsion. This is provided for in Section 15 of the Education Act. In Section 16 of the Education Act states that a parent must ensure the non-attendance of a child in the case of Section 15 or a fine fined $50AUD will be imposed

68. One of the main reasons for school absence since late 1990's until 2008 was the financial crisis in Nauru. Most parents refused to send their children to school on an empty stomach. The families and communities combined efforts in maintaining the food system in the house. Additionally, in 2002 salary payment stalled and in 2006 the payment voucher system began where workers would receive a $150 shopping voucher that was valid for grocery items only. In 2005, every Nauruan public servant was receiving $150 in cash as part payment of their actual salary. The difference was withheld in salary records as pending salaries as owed by the government. The percentage of part payment gradually increased throughout 2008 onwards. In 2009, the pay-off for pending salaries commenced. By 2014 all pending salaries owed to public servants including deceased, retired and resigned were recompensed. Worker's remuneration have increased by nearly 100 to 150% improving the status of school attendance in comparison.

69. To create a proactive and continually improving education system the Queensland Certificate of Education (QCE) at Nauru Secondary School (NSS) has begun implementation. The curriculum was renewed for the 2015 school year. An agreement has also been renewed between the Department of Education and the Queensland Schools Association (QSA). Four Australian expatriate teachers have been recruited to support the achievement of QCE so that the requirements for the QCE license are met. It has prompted the continued training for teachers to be qualified to teach in the four core subject areas namely Mathematics A/B, Modern History, English and Science.

70. Fifteen expatriate early childhood and primary teachers from the Papua New Guinea, Kiribati and Fiji are currently contracted by the government to fill in the teacher workforce gap as the local teachers are being trained to meet the Teacher Registration Requirements which is now in force. This has been ongoing since 2010. With the graduation of sixteen teachers from the University of New England (in-service) at the end of 2015 the quality of teaching in Nauruan schools will certainly be heightened. Nine expatriate regional teachers from Fiji are also under government employment contracts as interim teachers while the local teachers are training full time to achieve higher qualifications.

71. The Education Monitoring and Information Statistics (EMIS) division of the Department of Education is undergoing a stage of reform with staff number increase and improvement in statistic operations. Technical assistance for this division is working with the statistics officers for completion of all education data entry and for the Education

Statistics Digest to be published. The Statistics Office is currently working with the Director for Schools and CASE to refine the departments reporting capacity.

National Strategy and Plan of Action for Children

CPS Work Plan & NYP, 2009-2015

72. As part of the Nauru Plan of Action of Children, the Nauru Youth Policy will be revised to synchronize with the work plan for the Child Protection Services (CPS). The CPS work plan and revised NYP will set up infrastructures and propose budget allocation to: (a) the establishment of a child–friendly centre to accommodate child victims of sexual abuse and neglect; (b) ensure that children are protected from exploitation; (c) ensure children have access to clean drinking water and are immunized; (d) review the Births, Deaths & Marriages Act on the marriageable ages of girls whose current legal marriage age is sixteen; (e) establish Child Protection and Counseling services; (f) deliver interactive sporting programmes between refugee children and Nauruan children; (g) develop art and poetry competitions for children; (h) strengthen parental and school guidance on discipline of children; (i) cater community awareness programmes on the rights of the child; (j) parental awareness on positive parenting; (k) integrate refugee children with local children in recreational activities.

73. At present a "safe house" is run by Gender Based Violence Counsellors but it has been decided that it is not satisfactory for full protection as it lacks particular safety features such as a fire escape. There is also an issue of staff shortage and insufficient capacity of child counseling skills. However plans are substantive for the training of Child Protection Counselors.

74. Although Nauru laws are silent on prostitution, engaging in procured sexual activities with a girl under the age of seventeen is illegal in the Criminal Code 1899. The Ministry of Education has begun implementing the Truancy Policy that disallows employers to recruit persons under the age of eighteen unless an exemption letter is lodged for approval to the Secretary of Education by parents or guardians of the child. Provision of home schooling must be apparent with the exemption letter and proof of home schooling must be evident thereafter.

75. The Public Health Immunization Program conducts house visits for babies and infants that have not been attending immunization dates. This was put in practice because of the insufficient public transport system that immobilizes parents who are without personal transport to reach the vaccination clinic.

76. Art and poetry competitions are constantly channeled through the Department of Education on prestigious events. This year the Global Theatre celebrating four centuries of Shakespeare's birth and fifty years of his life, a play wright group from the UK enacted "Hamlet" in Nauru College, one of two middle schools in the state. The event that was free of charge and attracted many young people. Creative art, songs and poetry competition was sponsored by the Department Education and winners were announced during the evening. Other competitions hosted by UNESCO have been annually held and have seen the participation of the schools.

77. With the integration of refugee and asylum seeker children into the infant, primary and secondary schools the Physical Education Syllabus involves all students attending. Plans for conducting after school hour sports programmes to the same effect are on the agenda for the Department of Sports as coordinators of the activities, Department of Justice and Border Control through its Resettlement Team and Community Liaison Officers and Ministry of Home Affairs as the coordinators of community based activities.

78. The Child Protection Services with the support of the Pacific Technical Assistance Mechanism ("PACTAM") Gender Based Violence Advisor are developing the Mandatory Reporting Framework for Nauru. The plan takes into account examples from the region that would be successful for the Nauruan context where there are limited human resources. It will need to be considerate to the fact that the Nauru Police Force ("NPF") Domestic Violence Unit ("DVU") is resourced by two officers, the Child Protection Service ("CPS") division has three staff members, the laws of Nauru are vague on some issues of child protection and there is insufficient child counseling capacity. There is definite room for improvement in these areas before such a framework can be proficient.

79. The development of a Child Protective Division work plan is in progress. Its main objective is "A safe and healthy environment for women/families/communities nations". Five strategies were identified as means of approach of the work plan:

(a) Promotional Campaigns

80. Promotional Campaigns in the form of forums and promotional materials that aim to raise awareness nationwide for child safety in all the 14 districts through the Nauru Education Department via the school curriculum; through Connect and the Department of Justice and Border Control to the Nauru Resettlement Team for refugees resettling on Nauru and also the facilitation of radio and Television through Nauru Media Bureau. At the community level, competitions and events will be developed to increase community interest and understanding of Gender Based Violence (GBV). In the wider scope ways of sharing information to the region is being explored.

(b) Workshops and innovative measures

81. Workshops and innovative measures are practical strategies that have commenced implementation. The Department of Education is at current trialing the incorporation of the Family Life Education ("FLE") module into the year nine curriculum. The formulation of the module was made possible with the collaborative efforts of the Ministry of Education, Ministry of Health, and the Ministry of Home Affairs with the technical and funding support of United Nations Education, Society and Community Organization (UNESCO) as well as United Nations Family Protection Association ("UNFPA"). The FLE aims to link young people, teachers, health workers, peer educators, police, law and parents to address issues that currently face our young people of Nauru relating to their growth and development.

82. There are substantive plans to employ casual social work staff as to network with the community for easier identification of families at high risk of domestic violence so that there is a direct connection to family and children support services. In the same context, the Ministry of Home Affairs is investigating the possibilities of providing a community "safe house" model that will be central for neighbouring districts where children under threat can be temporarily put into emergency accommodations.

83. As previously stated, corporal punishment as means of child control is still an accepted and expected parental obligation in Nauru. Programs are continuing and moving forward to encourage positive parenting where all forms of physical discipline must be replaced with parental modelling, parental counselling and other passive methods of child rearing.

84. To combat the problem of the rising statistics of under-aged substance abuse cases particularly with alcohol the Child Protection Services division staff will be trained to develop motivational interview skills in such areas. Legal age of alcohol consumption and tobacco intake is twenty one years and eighteen years of age consecutively as provided in the Liquor Act, 1967, Section 33 (1) and Tobacco Control Act, 2009, Section 9 (1).

(c) Referral systems

85. Referral systems must be established for the effective and efficient process of child-related cases. Discussions are underway for such procedures and guidelines between DJBC, Ministry of Health, Ministry of Education, Nauru Police Force, Resettlement Team including Connect Services and Child Protection Services. Protocols must be mandated as to case noting, confidentiality, boundaries, self-care and case supervision. Child victim support mechanisms through police and court processes are foremost in the establishment of the referral system.

86. Government's priorities to the creation of an optimal children's service in the full realization of Child Protection in the Nauruan context will be supported by substantiating a Family Violence and Child Protection government committee. As the majority of children are in the Nauruan schools the Education Liaison Office (ELO) is identified as the first point of contact from which appropriate referrals will be made. Three cases so far have been reported through the Liaison Office; although there are no official guidelines to a referral system the relevant divisions within the Ministries are trying their best to cater for these children to lead them to safe resolutions.

87. Child-related cases require specialized expertise and there is a lack of capacity in the area. This must be considered in the selection of staff therefore a minimum Diploma level qualification will have to be sufficient for the immediate commencement of the service.

(d) Doctors and medical treatment staff

88. Doctors and medical treatment staff including nurses are on the priority list for training in handling cases of family violence. Training will need to be conducted from the point of findings up to the point of trial. The training will be in line with the mandatory reporting policy that is still in progress.

89. Instant action procedures for the medical emergency response team at RONH and outpatients clinics will be trained on the identification and the delivery of minimum service standard on family violence emergency situations.

90. Protocols on case management and evidence collection for sexual abuse patients require discretional and professional recording as well as reporting that will be privy to the doctor or treatment officer only. A template will be formulated to record injuries of sexual abuse patients.

91. As part of the training, medical officers and doctors will practice on the presentation of medical evidence in court as expert witnesses.

92. The implementation of a data collection system will improve the upkeep of records and statistics for child protection cases to address evaluation and monitoring for assessment and continuous implementations.

(e) Actions

93. Actions are in progress to update Nauru Laws so they are in compliance with international standards of child protection from all types of violence and abuse. The Implementation of a "no drop" policy for child abuse matters is under exploration. The Public Prosecution Office has received a significant number of withdrawals of charges related to domestic violence cases. A thorough community consultation will need to take place as a coordinated approach by the Ministry of Justice and Border Control ("DJBC") and the Ministry of Home Affairs to inform the public about the "no drop" policy after the framework is launched and a provision in the laws is put in place.

94. The development of a Mandatory Reporting Policy will consult the legal provision of Mandatory reporting in the Health system, education system, child protection division, Nauru Police Force and other foundations that will be instrumental in the insurance of child safety inside and outside the domestic setting. It takes into account other Mandatory Reporting systems that have succeeded and failed and one hundred percent in context to Nauru.

Coordinating Mechanism within Government

95. In October 2013 the Minister of Home Affairs established a Family and Community Services Division within the Ministry of Home Affairs which consisted of a family welfare function, community development and a child protection response. In December 2014 a team travelled to Kiribati to investigate their response against child abuse, including recently introduced legislation.

96. In February/March 2015 a study was undertaken by consultancy firm, Child Frontiers, with funding provided by UNICEF, to: (a) review the current situation in legislation/policy, services and community attitudes and knowledge about child protection; (b) develop recommendations to help shape government plans, in particular in regards to a policy response; and (c) further promote capacity building, networking and interagency collaboration.

97. Local staff are trained to conduct focus groups over a two week period to assist in identifying how children are currently safeguarded, and to assess gaps and needs. The consultation included sessions with youth, as well as community members. The report has yet to be completed and has not been provided to the Government of Nauru.

98. In order to ensure a stronger focus on children and young people, in 2015 the Minister moved the child protection function from Family and Community Services and established a dedicated Division of Child Protection Services staffed by a Director, Child Protection Officers and a Children's Counselor. The role of the Division is to have lead responsibility in Nauru for the care and protection of children, and to establish systems and processes to respond to cases of child abuse and neglect.

99. The principal duties of the Child Protection Director apart from providing managerial and supervisory roles are to: (a) coordinate and manage daily operations of the Division; (b) identify the welfare needs of children and disability children; (c) liaise with Heads of Departments and other national agencies, including regional and international organizations to develop strategies to improve the welfare of children and children with disability(s); (d) support outreach and engagement of services for resistant clients that will build trust and confidence; (e) work with NGO's and community task force to implement or improve policy(s) concerning children and children with disability(s); (f) implement and monitor Department plans, programs and policies and formulate strategies for development; (g) prepare annual operational plan and submit on a timely manner; (h) liaise with Women Affairs Department (WAD) and the Counselor of WAD concerning the safe custody and protection of children and children with disability(s); (i) liaise with any other relevant stakeholders (Nauru Police Force, Health, Education, Justice Department and Judiciary) for any or all purposes concerning children and children with disability(s); (j) assist & liaise with the Budget Officer for any budget purposes concerning the Department; (k) provide assistance and support to all affiliated groups of women & men or parents in their supportive roles on all issues pertaining to children and children with disability(s); (l) provide capacity development programs for children and children with disability in the communities through initiated projects (Life Skills) workshops and training; (m) prepare Monthly & Annual Reports to the Secretary for Home Affairs; (n) provide & support the necessary training of staff; (o) any other duties as may be required from time to time.

100. The Senior Child Protection Officer is responsible for the development and monitoring of the strategic goals of the section towards the improvement of welfare issues for all the children on Nauru as well as: (a) participation and leadership of children; (b) coordinate with Child Protection Officer to connect with communities and conduct workshops to introduce child protection programs and programs to reduce violence against children and children with disability(s); (c) work with Child Counselor in receiving complaints about family problems and potential child abuse cases and arrange appropriate responses; (d) liaise with police and other government departments on the protection of children and children with disability(s); (e) develop strategies for communities to resolve family and child violence and related issues; (f) liaise with the education department and schools to promote the School Life Program and related program to address family and child abuse issues; (g) report and investigate possible neglect or exploitation of children and children with disability(s); (h) develop public awareness campaigns against abuse, violence towards children and children with disability(s) and the exploitation of children and children with disability(s); (i) actively support child clubs and other child-led activities that educate children on how to protect themselves and empower them to report and call action in their communities; (j) pilot training programs for social workers to provide support care to families and children and advocating for more effective national protection policies and child welfare reform.

101. The Division is supported by the Domestic Violence Unit (DVU) of the Nauru Police Force, whose role is to investigate and respond to situations of domestic violence and child abuse. The DVU was established in the Police Force in 2007. There are three police officers in the DVU. Domestic Violence training is offered through the Pacific Prevention of Domestic Violence Programme ("PPDVP") which is an initiative of the Pacific Island Chief of Police ("PICP"), New Zealand Police ("NZP") and New Zealand Aid ("NZaid") as well as the Australian Federal Police ("AFP") who hold advisory roles within various sections of the Nauru Police Force.

102. In May 2015, a Sexual Assault First Responders course ("SAFR") was held, funded and conducted by the Australian Federal Police for Nauru Police Force to enhance the response to adult and child victims of sexual violence. This course also included staff from the Ministry of Home Affairs including the Safe House Counselor, Child Protection staff and the Men's Counselor from the Self Help Ending Domestic ("SHED") to establish a victim focused response with the police responsible for the investigation and Home Affairs staff responsible for victim support. The second phase of the course will be held later in 2015 and will include forensic medical training for health professionals within the Ministry of Health to respond to adult and child victims of sexual abuse and assault. School Liaison Officers operate in each school, with coordination of their roles by Chief Liaison Officer in the central Education Department. The Department works closely with the Ministry of Home Affairs, Child Protection staff in regards to identifying and reporting on cases of child abuse and family violence; as well as provision of counseling services for children and adolescents who are victims of violence.

103. A child protection case management framework has been established in the Division that provide for Refugee and children of Nauru. It consists of Child Protection Services, Gender Based Violence Unit, Safe House and Connect as case managers for refugees in Nauru. Weekly meetings are held ensuring that children at risk are appropriately followed up to determine risk and safety issues, and to provide support for parents and families. In cases where the risk is too high for children to remain in the home, child protection staffs work with extended families to provide a safer location. Children who are removed from their homes are generally supported through a kinship care system, with no real foster system existing. On occasion when children have been placed in the Safe House without a parent, a Safe House counselor remains with the child. An agreement between the Australian Border Force and Nauru Government outlines a process for refugee cases where

the child/children will be taken to a designated safe room at the Regional Processing Centre 1 as an initial emergency plan. The maximum time period is 72 hours. The pilot case was that of an aggressive mother of a four month child who was taken with his father to the safe room until the situation was stable.

104. A case management framework has been established in the Division, with weekly meetings ensuring that children at risk are appropriately followed up to determine risk and safety issues, and to provide support for parents and families. In cases where the risk is too high for children to remain in the home, child protection staff work with extended families to provide a safer location. Children who are removed from their homes are generally supported through a kinship care system, with no real foster system existing. Some children have been placed unaccompanied in the Safe House but the environment is not generally suitable for children unless with a parent. On occasion when children have been placed in the Safe House without a parent, a Safe House counselor remains with the child.

105. Family violence and child protection issues are not the responsibility of one government department alone, but instead intersect with many Ministries and Departments including Education, Police, Justice, Health and Home Affairs. As such, it is imperative to have good communication and an integrated response to coordinate the management of risk and safety across professional or agency boundaries. As a result, Cabinet endorsed an Integrated Case Coordination structure which included the establishment of two committees, one dealing specifically with child protection issues. The primary function of the committee is to work in an integrated way to manage risk and safety by managing cases. This committee also identifies system gaps and issues and provides recommendations to the governance committee through to the responsible Minister to address these gaps and issues in a coordinated, whole of government approach. The Integrated Case Coordination Committee ("ICCC") met for the first time in 2015 with representatives from the Government of Nauru including Home Affairs (as lead agency and Chair), Justice and Border Control, Nauru Resettlement Team, Health, Education, Police, Community Liaison Officers and other stakeholders including the Australian Department of Immigration and Border Control ("Border Force"), Connect Resettlement Services and International Health and Medical Services ("IHMS") in a complex case management approach.

106. The Ministry of Home Affairs, through the newly established Children Services Division has the lead role on children's issues and the implementation of the Convention on the Rights of the Child. The holistic scope of the Convention on the Rights of the Child allows the ministry to work with other departments within Government such as the Ministry for Justice and the Department of Education. The establishment of the new Child Protection division within Home Affairs brings to the fore many prospects of the advancing fulfillment of child rights.

Budgetary Allocation for Implementation of the Convention

107. In the new Nauru Budget 2015-2016 budgetary allocation allowing for the implementation of the provisions of the CRC was passed. Each ministry receives funding who then support children's programs in the country. The Ministry of Education is fully dedicated to the implementation of supporting programs for the education for all children in Nauru. It has seen the application of the School Feeding Program that started in 2013 where free lunches are distributed to all children in school. It has also subsidized for the roll out of new curricula for example in the senior secondary year levels eleven and twelve the Queensland Certificate of Education ("QCE") is in place and the TVET programs continues to be offered at Nauru Secondary School for the more practical pupil. The Family Life Education module began its trial stage at year nine in Nauru College.

108. The Education School Age Allowance Scheme ("ESAAS") will provide monetary allowance at $5.00 per fortnight that will be paid into the accounts of each student who are regular attendees. This was an additional incentive to the school feeding program to motivate parents to send their children to school and for older students to attend school regularly. For this financial year alone $1,500,000AUD has been approved through the budget for the ESAAS. The Education School Age Allowance Scheme is a government's initiative to address school truancy and it will commence in the second half of the 2015-2016 financial year.

109. Teacher up-skilling programs with Divine Word University ("DWU"), University of New England ("UNE") and the University of the South Pacific ("USP") have received significant financial support from the Ministry of Education budget. The Queensland Educational Leadership Institute ("QELi"), TAFE Queensland and the Queensland Studies Authority ("QSA") are other major contributors who are funded by the Ministry for capacity building for staff of the Department of Education..

110. A portion of the budget is also earmarked for the enhancement of school infrastructures. Kayser College is now enjoying the completion of new classrooms and all schools have undergone urgent and costly repairs. The Learning Village is in progress but it has been slower than initially anticipated. The TVET Automotive Centre which is Phase 1 of the Learning Village is officially opened.

111. In the Ministry and Health and Medical Services advanced pediatric facilities will be in place with the operation of the Hospital Redevelopment Program. Australia DFAT, one of Nauru's major development partners have agreed to commit $11.5 million towards the project that will be implemented through the Department of Immigration and Border Control (DIBP).

112. The budget for the Ministry of Home Affairs has extended to include the establishment of the Family and Community Services division and the Child Protection Services division. The latter being recently separated from the Family and Community Services and increased in staff number.

113. The Nauru Police Force finances the Adopt a Cop Program that is resourced by a police officer whose sole responsibility and mandate is to provide civic education for schools on crime awareness. It consists of oral presentations and dissemination of physical campaign materials for example wrist bands, pens, posters and brochures.

114. The Department of Justice and Border Control Strategic Plan 2015 to 2025 budget allocation will be towards awareness programs that address violence against children in legalizing the existence of a better "Safe House" for victims of Domestic Violence; reduction of gender based violence rates including statistics of violence against children. Financial support will be focused on repealing the current criminal code to enact a new code that addresses all issues related to violence against women and children ensuring full compliance with human rights conventions.

115. Lands Transport provides free and daily transportation of children to and from school. Maintenance and fuel of buses are the major financial debits for the operation of school transportation.

116. The Sport department has financed many sports and recreational programs with the schools in collaboration with the education department dedication $10,000 to this year's implementations of such activities. The "Epon Karamwen Program" meaning playing together or was enjoyed by many children of Nauru with sports activities ranging from volleyball, football, basketball and cultural sports. They were all arranged in aged categories and it was run within the schools and at community level.

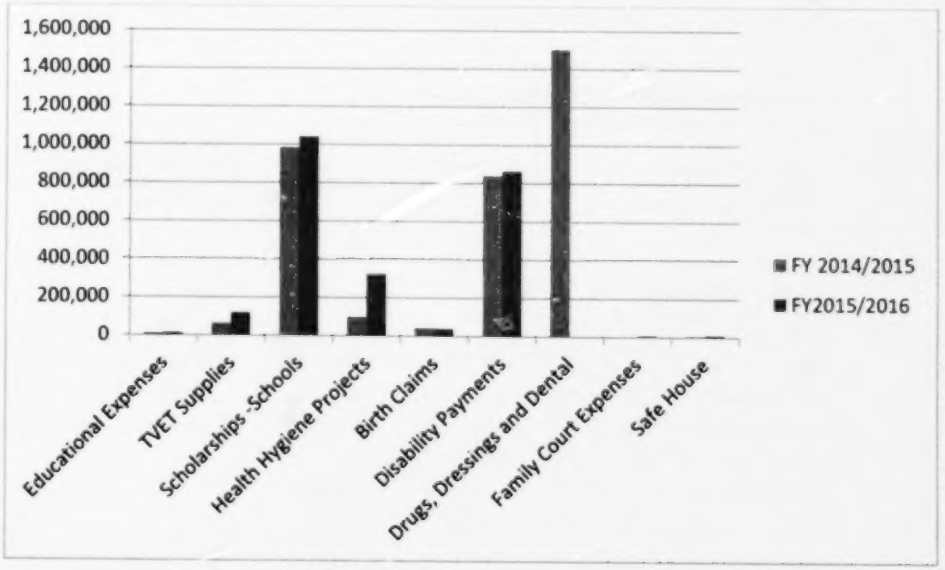
117. The Youth Affairs programs are inclusive of young people of 15 years to 18 years of age. Although it is not known how much is specifically dedicated to this age range. NYA has nominated a participant to attend the "ONE YOUNG WORLD" forum later this year.

118. A Vulnerable Children's Meeting Committee is established to address issues pertaining to the management of cases relating to children in Nauru inclusive of the Regional Processing Centre. Its members are Save the Children, Australian Border Force, International Health & Medical Services, Wilson's Security, Child Protection Services and Gender Based Violence Unit. It functions is to hold weekly meetings with objectives to strengthen joint networking for an effective management framework of child related cases.

Figure 3
Domestic Expenses by Head

Department	*2014 2015*	*2015 2016*
Education	7,251,610	7,386,226
Youth Affairs	106,216	155,315
Health and Medical	9,167,642	9,381,151
Sports	286,332	274,251
Home Affairs	1,752,131	3,253,011
Police	2,426,931	1,999,093
Lands Transport	1,302,020	675,352
Justice	3,986,980	6,164,560

Figure 4
Budgetary Expense and Allocation



119. Birth, Death and Marriage Registry is financed under the Department of the Chief Secretary, an amount of $100 is paid out to mothers of new born babies on the presentation of the registration form and letter from the hospital confirming the birth. Birth claims for the financial year 2014/ 2015 totaled $40,000 and for the coming year $37,500 has been allocated for this pension.

120. The Disability Pension is paid out to persons who satisfy the five point disability requirement deeming them unable to go to school or fully participate in school. The pension is $200 per fortnight. In the financial year 2014/2015 payments of pension reached $838,400 and $861,000 has been set aside for the next financial year 2015/2016. Many children make up are receiving this pension.

121. There are approximately 64 government scholarship students receiving overseas education in Australia and in Fiji. $982,789 was the expense in the 2014/2015 and this financial year the government has increased this amount to $1,039,791. This also includes students who are undergoing trade, vocational and tertiary schooling within the government scholarship scheme.

International Assistance and Development Aid

122. Australia is a key international contributor through AusAid - DFAT who financially support programs and expatriate advisors to provide technical assistance to Nauru through a PACTAM Gender Based Violence advisor, SPC's Human Rights Program, RRRT who facilitate human rights training, workshops and the Universal Periodic Review Shadow Report Writing consultation, UNICEF who have been instrumental in the Nauru Family and Health Survey Study and OHCHR.

123. Republic of China Taiwan has delivered countless opportunities of scholarship grants for tertiary study and has supported Nauru in-kind initiating the School Feeding Program in 2012 as well as the Community Grass Roots Program.

Figure 5
Development Fund 2015/2016 Projections by Donor

Development Partners	*In-Kind ($)*	*Carry Over Funds*	*New Funds Projection*	*Total Development Fund Projections*
Asia Development Bank (ADB)				
Australia (AUS-DFAT)	15,041,000	11,395,132	6,200,000	17,595,132
European Union (EU)		3,397	365,976	369,374
India		260,401	585,000	845,401
Japan	3,100,000	1,769,304	200,000	1,969,304
New Zealand	260,000	733,371	1,353,452	2,086,823
Republic of China Taiwan	8,316,641	32,386	4,510,906	4,543,293
United Arab Emirates (UAE)	5,000,000			
United Nations		94,336		94,336
United States of America	685,965			
Other Development Partners		119,203		119,203
Total	**32,403,606**	**14,407,533**	**13,215,335**	**27,622,869**

Figure 6
Reports from the Pacific Aid Donor show the following activities for Nauru

Programme	*Agency Implementing Partner*	*Total Budget*	*Actual Spent*
Nauru Legislative Strengthening Project	UNDP/ Parliament	USD 46,000	USD 24,000
Countering Discrimination Programme	UNOHCHR	USD 7,200	USD 7,200
Programme on Strengthening Effectiveness of International Human Rights	UNOHCHR	USD2,400	USD 2,400

National Independent Monitoring Mechanism

124. The Ministry of Justice through the Department of Justice and Border Control has developed a concept note on the possible establishment of a dedicated office tasked with the responsibility of managing Nauru's human rights issues and concerns. In addition, the Government of Nauru through the Department of Justice and Border control has begun preliminary discussions with officials from the Ombudsman Office of the Government of Samoa with regards to the possible establishment of a national human rights institution.

Measures taken to make the principles and provisions of the Convention widely known to adults and children

125. Sixteen Community Paralegals are trained and certified by SPC – RRRT. Their work is to advise and consult on any member or group of the public on human rights issues including the Convention on the Rights of the Child. The Nauru Public Defense Office ("NPDO") is putting together locally contextualized awareness materials on the rights of the child in court similar to the simplified information brochures disseminated by the Fiji Women's Crisis Centre on "The Child Rights in Court".

126. The Ministry of Home Affairs invited SPC – RRRT to facilitate a workshop on the Elimination of Violence Against Women (EVAW), Human Rights and the Convention on the Rights of the Child (CRC). Related government departments and non-government as well as Faith based organizations were present to share their views as well as learn from the consultation. Community awareness campaigns on the rights of the child has already commenced with the establishment of the Child Protection Services division. Pamphlets and brochures on general information of child rights especially focusing on the types of abuse are circulation materials that have been published and disseminated. This was also available during the Public Service Day held at the government offices in July, 2015.

Availability of the report

127. The Government of the Nauru will ensure that the report is widely disseminated to the general public. It is envisaged that the Department of Home Affairs will take the lead in facilitating and coordinating national consultations with regards the dissemination of the report. Together with the relevant government departments it is envisaged that the media particularly the radio and television will be used to disseminate the CRC Report.

Cooperation with civil society

128. Civil Society Organizations that are invited to every government workshops and organizations relating to children's rights. Their valuable input is recognized as a point of reference for government decisions.

129. Earlier in February until March 2015 a group of government officials from the Ministry of Home Affairs and the Department of Justice and Border Control conducted after hour community consultations in all fourteen districts regarding the CEDAW, CRPD and CRC treaty report. It consisted of Gender Based Violence Counsellors, Director for Family and Community Services, Safe House Counsellors, Director for Women's Affairs, the Human Rights Advisor, Civil litigation Lawyer, Public Defense Lawyer and Country Focal Officer from the Secretariat of the Pacific Community – Human Rights Section (RRRT).

130. On the 3rd of March to the 6th of March, 2015 a workshop on the Universal Periodic Review Follow-Up was facilitated by the Secretariat of the Pacific Community (SPC). Civil Society Organizations were the main target group as the consultation was based on the writing up of shadow reports. As part of the workshop the process of treaty report was also explained to the participants.

131. In July 2015, the Ministry of Home Affairs invited the Secretariat of the Pacific Community to conduct a five day workshop on EVAW, Human Rights and CRC. Invitations were extended to faith based organizations such as Principal of Assembly of God School, President of the Legion of Mary Catholic Women's Fellowship, Secretary for the Nauru Congregational Women's Fellowship Council, President for Nauru Youth Fellowship Council, Nauru Disabled Person's Organization, Coordinator for NIANGO, Community leaders along with major government stakeholder departments related to children. The treaty reporting process of the CRC was presented to the participants.

IV. Definition of the child

132. The definition of the child varies in different laws of Nauru. Amendments to Laws in 2015 have seen changes to comply with article 1 of the Convention on the Rights of the Child. With the revision of the Criminal Code, 1899 the age of a child will be more clarified to a person being under the age eighteen. At present a person under the age of seven is deemed not knowledgeable of a criminal doing therefore cannot be charged under the act. Also, in sexual offences it can be argued as a point of defense that the victim is seventeen years of age to incur lesser years of sentencing upon conviction.

133. The Adoption Act, 1965 was amended in May 2015 to define the age of a child eligible for adoption as being under the age of eighteen from whence it was defined as being a person less than twenty one years of age. The Births, Deaths and Marriage Act, 1957 states that a male person is marriageable at the age of eighteen years and above however the marriageable age of a female person is of the age sixteen and over.

134. The working age of a person defines also defines the child as this would mean that they are no longer of school age however in Nauru the Public Service Act, 1998 only requires an applicant to submit copies of their birth certificate but does not specifically state the age at which a person can or cannot apply for work. The Guardianship of Children Act, 1975 is in accordance with article 1 of the CRC. The Correctional Act, 2009 gives the following definition of the child as being a "young prisoner" means any prisoner under the age of 18 years, and includes any prisoner under the age of 21 years, who in the opinion of the Chief Correctional Officer or Court may be at risk of harm in a correctional centre. The Cybercrime Act, 2015, defines a child as any person under the age of eighteen years. The

motor traffic does not specifically denote the definition of a child in relation to driving. It only mentions a "learner's permit" as a permit license issued under the ordinance to a person to learn to drive a motor vehicle and it can be granted by the registrar for a period not exceeding one month to any person not less than eighteen years of age.

135. The Constitution of Nauru, Article 29 the age of a child is determined by the voting age which is at the attainment of age twenty years. This is inclusive of the age definition of the child in the CRC and furthermore extends the age limitations to consist of nineteen year old persons.

Figure 7
Age of the child per legislation

Law	*Definition of a Child*
Criminal Code, 1899	7-17 years of age
Adoption Act, 1965	Under 18 years
Education Act, 2011	4-18 years of age
Births, Deaths and Marriage Act, 1957	F – 16, M – 18
Public Service Act, 1998	Provision of date of birth
Guardian of Children Act, 1975	Under 18 years
Correctional Act, 2009	Under 18 / under 21years
Constitution of Nauru	Under 20 years article 29
Cybercrime Act, 2015	Under 18 years
Motor traffic Act, 1937	Under 18 years
Liquor Act, 1967	Under 21 years
Tobacco Control Act, 2009	Under 18 year

V. General principles

Non-discrimination

136. Article 2 of the Convention on the Rights of the Child provides that "State Parties shall respect and ensure the rights set forth in the present Convention to each child within their jurisdiction without discrimination of any kind, irrespective of the child's or his or her parent's or legal guardian's race, colour, sex, language, religion, political or other opinion, national, ethnic or social origin, property, disability, birth or other status." Article 3 of Part II of the Constitution of Nauru provides that "Whereas every person in Nauru is entitled to the fundamental rights and freedoms of the individual, that is to say, has the right, whatever his race, place of origin, political opinions, colours, creed or sex, but subject to respect for the rights and freedoms of others and the public interest, to each and all of the following freedoms.

137. The removal of the corroboration rule for victims in court cases dealing with sexually related charges on the 5th of August, 2015 will make it much easier and relevant for prosecutions of perpetrators of sexual offences. This was a leap forward for the Justice system on Nauru on behalf of victims of sexual abuse. This removes further discrimination of all victims in the cross examination of a witness. The Supreme Court of Nauru in 2015 formally removed the corroboration rule. The Supreme Court in the case stated in relation to Criminal Case No. CF 7/2015 The Republic v Saeed Mayahi the question posed by the

learned Resident Magistrate, through the submission of the amicus curiae, is whether the practice of the Courts requiring a corroboration warning for the evidence of women or girl victims relating to sexual offences, is contrary to Articles 2 and 3 of the Constitution. The amicus submitted that the ratification by the Republic of Nauru of the Convention on the Elimination of all forms of Discrimination against Woman (CEDAW) and being a signatory to the International Covenant on Civil and Political Rights (ICCPR) committed to compliance with treaty obligations negates the rule of practice in requiring corroboration for female complainants in sexual offence cases.

138. The court held that "....the rule of practice requiring the giving of a corroboration warning relates to cases in this jurisdiction in which only a woman or girl can be the complainant. Thus to require a corroboration warning to be given in relation to these complainants only, is to discriminate against them on the basis of their sex. This offends against the tenet of section 3 of the Constitution of Nauru. Accordingly the Court ruled that there will be no rule of practice or requirement that a corroboration warning is to be given in all cases involving complainants in sexual offence matters before the Courts in Nauru.

Best interests of the child

139. Article 3(1) of Part I of the Convention on the rights of the child states that "In all action concerning children, whether undertaken by public or private social welfare institutions, courts of law, administrative authorities or legislative bodies, the best interest of the child shall be a primary consideration." Article 21 of the Convention on the Rights of the Child further provides that "State Parties that recognize and /or permit the system of adoption shall ensure that the best interest of the child shall be the paramount consideration..."

140. Article 5(1) (d) of the Constitution of Nauru caters for the welfare of the child in terms of his or her education but at the cost that their liberty will be deprived for the purpose of education as authorized by law. The Article provides that "No person shall be deprived of his personal liberty, except as authorized by law under the order of a court, for his education during any period ending not later than the thirty-first day of December after he attains the age of eighteen years."

141. The Best Interest of the Child is best represented by the adoption case in the Supreme Court regarding "In re Lorna Gleeson [2006] NRSC 8; Miscellaneous Cause No. 4 of 2006". Mrs. Gleeson is a Nauruan who is married to a non-Nauruan. The Supreme Court applied Article 21 of CRC and The Interpretation Act, 2011, Section 51(1) and Section 52(1) to grant the adoption.

142. The Adoption of Children Ordinance 1965, Section 9 prohibits an adoption by a Non-Nauruan and of a Non-Nauruan which was repealed in May 2015. It has now allowed the adoption of several orphaned female children of Chinese origin to be adopted by Nauruan parents who have raised them since birth. It will also allow them to become Nauruan Citizens from being stateless as they were never registered at birth by their biological parents since they were abandoned at the newborn nursery.

Right to life, survival and development

143. Birth weight and size are important indicators of a child's vulnerability to childhood illnesses and their chance of survival. Children with low birth weight (LBW, defined as less than 2.5 kg), or children reported by their mother to be "very small" or "smaller than average" are considered to have a higher-than-average risk of early childhood death.

144. The table below shows that over 90 percent of babies are born weighing at least 2500 grams, compared to underweight births weighing less than 2500 grams (which is under 10 percent). Under-weight babies are normally caused by mothers who consume nicotine through cigarette smoking which is less seen nowadays. The Ante Natal Clinic is very informative of the dangers and risks of pregnancy and impacts of external factors thereof, providing alternative measures for mothers who are in certain situations so that the Birth weight of the baby is maintained at a healthy range for its own survival as well as the mothers.

Figure 8
Percent Distribution of Birth by Weight 2008-13

	Birth Weight		
Period	*< 2500g*	*2500g or above*	***Total***
2008-2010	7.0	93.0	**100**
2011*	*na	*na	*na
2012-2013	7.7	92.3	**100**

Source: RON Hospital Records.
* Data not available for 2011.

Infant and Child Deaths and Mortality

145. The Infant Mortality Rate shows the number of infant deaths (deaths in children under age 1) a year per 1,000 live births for a given period.

Figure 9
Infant Mortality Rate per 1,000 people with 95% Confidence Interval and 3 years period, 2008-2013

Period	*IMR 1000*	*L95%CI*	*U95% CI*
2008-2010	36.7	25.8	50.5
2011-2013	18.0	10.8	28.1

Source: RON hospital births and deaths.

146. The IMR fell from the 2008-2010 period to 2011-2013. The table above shows that Infant Mortality Rate (IMR) was 18.0 per 1,000 live births during the period 2011-2013 with a 95% Confidence Interval of 10.8 to 28.1 infant deaths per 1,000 live births. The IMR during the 2008-2010 periods was 36.7 per 1000 live births with a 95% Confidence Interval of 25.8 to 50.5 per 1,000 live births.

Under 5 Mortality Rate (U5M)

147. The Under 5 Mortality Rate is measured as the number of deaths in children under age 5 per 1,000 live births in a given period. As was the case with infant mortality, under five mortality appears to be falling from the 2008-2010 period to 2011-2013. More data is needed to see if the trend holds.

148. The table below show the Under-5 mortality rate (U5M) is 22.7 per 1,000 live births (95% Confidence Interval 14.6-33.8) during 2011-13 period and 38.7 per 1,000 live births (95% CI: 27.5-52.8) during the period 2008-2010.

Figure 10
U5M rate (<5 yrs) with 95% Confidence Interval by 3 years period 2008-2013

Period	*U5M/1000*	*L95%CI*	*U95%CI*
2008-2010	38.7	27.5	52.8
2011-2013	22.7	14.6	33.8

Sources: RON hospital births and deaths – Poisson distribution for 95% CI.

149. The matrilineal culture of Nauru has always seen children fed first and this is significant in the household and during celebrations. In both settings children are gathered and the first serve will always be for all children. Parents see to it that children have had their fill and then the adult serves begin. Where this is most evident is during the financial crisis when parents did not want to send their children to school because of food shortage. Expecting mothers are treated with extra care, not allowing them to engage in intense house chores and cravings are essentially met within healthy bounds of family opinion. The husband and the mother of the expecting mother will bear the work that needs to be done. This ensures the unborn baby's comfort and safety.

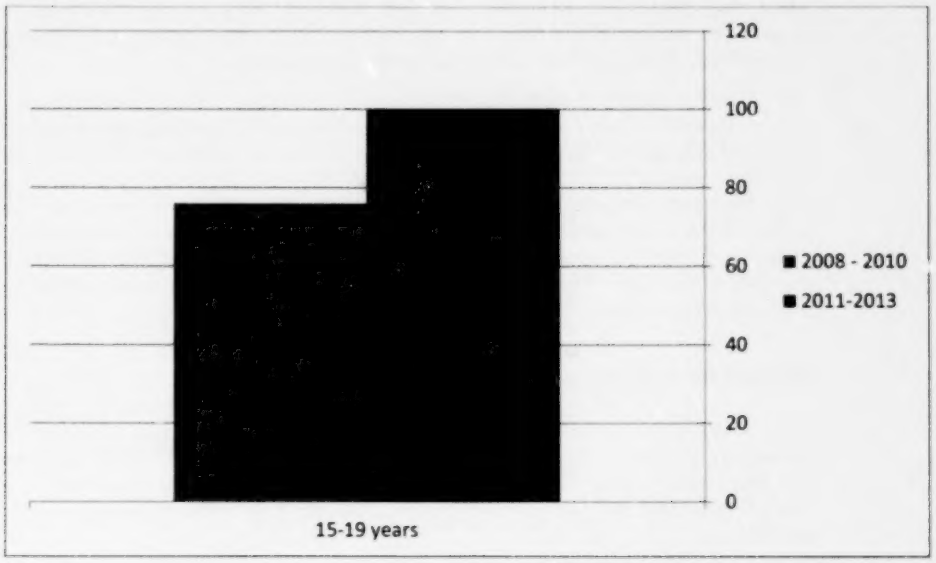
150. Traditional midwives are still practicing the local methods of ante natal inspection of the health and position of the baby in the mother's womb. Many of children's lives have been saved by local experts in traditional medicine. Infrastructures for ante and postnatal patients have developed many folds in the past decade. With the renovation and government take-over of the old Nauru Phosphate Corporation Hospital and a readily equipped ante natal clinic has been built and furnished as well as ultrasound facilities and the maternity ward was extended to include a mother's recovery unit especially those with birthing difficulties. However acute short staff shortage is still an obstacle faced by the Health and Medical Services.

151. The School Feeding Program was initiated by the Republic of China – Taiwan to assist the education department in improving the truancy rates that still plague the education system today. Parents complained that they could not send their children to school because they could not provide school lunches or money for the children to buy it themselves. The School Feeding Program are tendered out to the public who will offer their catering services through proposals of their menu and expenditure. There is a food requirement that needs to be met by caterers for example, the five food group nutritional requirement and individual drinks for each child.

152. With the establishment of the Child Protection Services Division more children or witnesses have begun to come forward with reports of neglect and child abuse. Being a newly formed office the staff of CPS are still strengthening networks and procedures but it has been sufficient in dealing with the cases that have been presented to the office. The safety of the child will always determine what strategy needs to be applied to the child. With limited funds available to them kinship fostering is practiced at the moment because the "Safe House" is poorly designed and staff shortage does not allow for the "Safe House" to be manned during a child's stay.

153. Many children have joined the workforce especially in the Security employment sector. Many girls become mothers at a very young age most not completing high school. The FLE program was introduced into the school curriculum teaching school children about safe choices in all aspects of life.

Figure 11
Fertility rate of children from 2008 to 2013



154. The figures above show an estimation of 76/1000 births in 2008 to 2010 and increasing to 100/1000 births in 2011 to 2013 by mothers between the age fifteen and nineteen. An Educational Consultant with the Education Department is running the *NauruMumz – Bright Futures* project to re-engage young mothers with education by encouraging them to return to school, or to enroll in courses being offered in the tertiary education via TVET or the University of the South Pacific (USP).

155. The Parenting Skills Program is an official recognition of the government of school aged parents and that education options are still open for their consideration and engagement, now and in the future. The course project comprised of four parts: (a) Parenting Skills at 1 hour per week face-to-face (F2F); (b) Family Life Education (FLE): a condensed version of the FLE course taught in schools from Year 9 at 1 hour per week F2F; (c) Project-Based Learning (to engage young mothers in their OWN education): a project selected by students, to be completed in 6 weeks: at 4 hours per week F2F; (d) An ongoing Community Service Initiative: NauruKidz – Kids Mobile Library.

156. Young mothers are considered as vulnerable and disadvantaged demographic in the Nauruan society. The course was designed to support and encourage them, build their self-esteem, confidence and ability to self-advocate. At the completion of the course two students have enrolled in Early Childhood courses at USP.

157. The next phase of the programme is to expand the demographic for the courses above by establishing 0-4 years play centres on Nauru. The aim is to deliver Parenting Skills, FLE and project-based learning to parents and extended family and carers of 0-4 year olds to increase the reach and penetration of positive messages about adolescent wellbeing, as these messages are firmly embedded in the extended family networks and structures that exist on Nauru.

158. The first play centre commences 29 July 2015 in the Buada Community, and 6 other play centres are to be established across the island over the next 6 months, thus creating a national play centre network. The NauruKidz – Bright Futures Kids Mobile Library will

cater for literacy and numeracy needs through this network, and the network will allow the sharing and distribution of materials and resources across all 7 play centres. These play-based play centres are community run, with members taking on voluntary roles as supervisors, secretaries and treasurers of their community play centre, with ongoing financial and educational support from the Department of Education.

159. The Kids Mobile Library is an ongoing project to engage mothers in a community service, focused on literacy and numeracy and their children's education. Mothers collect books and puzzles from the community, catalogue them and run a "story-time" session on a Saturday morning at the local marketplace. They loan out books to children, recording loans and returns and issuing library bags and library membership cards to borrowers, as well as learning and practicing the skills of reading to groups of children, advertising and promoting the service, selection and provision of printed literacy and numeracy educational materials to parents and selection and design of themed pencil and paper style activities for young children to engage with during story-time.

Respect for the view of the child

160. Nauruan custom and culture does not permit children to be present when general discussions takes place amongst household adults or in the decision making process, but they are listened to when they speak on other matters. Some families however, respect the views of their children regardless of age. Decision making is solely the responsibility of the parent(s).

161. Prefects are well-respected amongst teachers and pupils although it can cause tension amidst peers. Hence the schools have tried to resolve this by letting teachers nominate candidates for prefects then handing over elections to the whole school so that their choice is best expressed through their votes.

162. In the new Child Protection Services division procedures are that a victim has a choice of where to stay when and if they cannot stay at their family home being the place of abuse. A court case, The Republic of Nauru v Jacko Gadeanag Criminal Case No. 83/2015 on the unnatural act upon a two year old male child indicated a fourteen year old girl being the nephew of perpetrator as the key witness. She had seen the act being committed and had physically fought with the uncle to hand over the child. Other witnesses being aunties of the perpetrator had withdrawn from the witness stand while the girl opted not to. Mostly based on the statements and evidence given and described by the child witness Jacko received eight years by the Supreme Court.

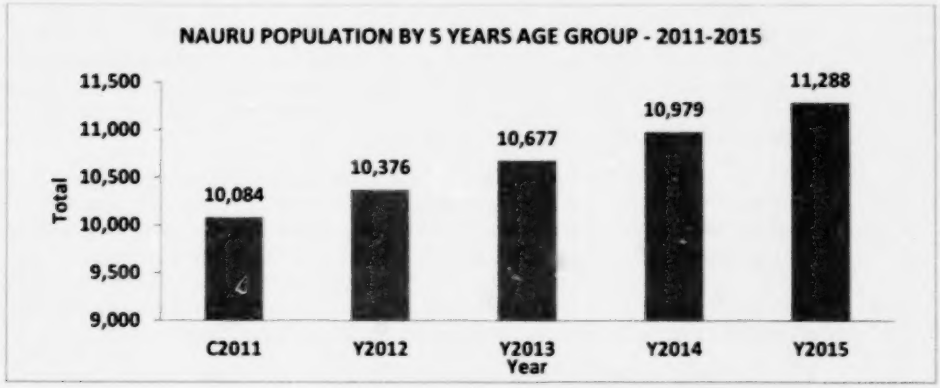
VI. Civil rights and freedoms

Birth registration, name and nationality

163. All children born in Nauru must be registered within 21 days from the date of birth. Registration takes place at the Birth Registry. Although this system has worked well, there is still a need to strengthen coordination in Government to streamline the registration process and make it easily accessible to all mothers. Registration is free of charge. According to the Birth Registry Records and the Nauru Population Census-2011, the population of children in Nauru has increased proportionally with the adult population. In 2015 there are 5,384 out of the 11,288 people in Nauru making up forty percent of the total population.

Figure 12
Nauru population by 5 years age group – 2011-2015

Age group	*C2011*	*Y2012*	*Y2013*	*Y2014*	*Y2015*
0-4	1,606	1,674	1,727	1,761	1,781
5-9	1,156	1,213	1,288	1,378	1,475
10-14	1,049	1,066	1,078	1,089	1,112
15-19	917	924	948	982	1,016



Preservation of identity

164. The preservation of the Dei Naoero (Nauruan) identity has always been protected to the extent where it was difficult for children of other nationalities to become Nauruan citizens. This was challenged by the existence of children who had been abandoned at birth by parents who were citizens of other countries as well as whose parents have worked on Nauru since the birth of a particular child.

165. In the Naoero Citizenship Act, 2005, Section 4, Part (c), a Nauruan citizen is defined to be a child of a Nauruan. This did not take into considerations accounts as described in the previous paragraph. In Section 5, Subsection 1 it was clear that a child could not apply for Nauruan citizenship as part (a), a person had to have attained the age of twenty years and in part (c) married to a Nauruan for over ten years. After this amendment many Nauruan born foreign nationals have been approved by cabinet to be Nauruan citizens however adhering to strict regulations.

166. In May 2015 the Naeoro Citizenship (amended) Act, 2015 was passed in parliament regulating that in order to be eligible to apply to be a DeiNaoero a person must have been born and raised in Nauru for at least twenty years regardless of the citizenship status of their parents and is adopted under the laws of Nauru by a citizen of Nauru, Section 5 (1) (a & b).

167. Section 7 and 8 legally supports dual citizenship and in addition states that a Nauruan citizen does not lose their Nauruan citizenship should they apply for citizenship to another country. Approximately one hundred and fifty Nauruans are dual citizens of Australia, Fiji and Kiribati.

Freedom of expression and the right to seek, receive and impart information

168. The Cyber Crime Act 2015 is a significant piece legislation aimed exclusively at cyber safety particularly the protection of children from abuse. The Cyber Crime Act 2015 was enacted by parliament to combat the growing cases of sexual assault and abuse of minors via social media. Cybercrime is used to describe both: crimes directed at computers or other information communications technologies (ICTs) (such as hacking and denial of service attacks), and crimes where computers or ICTs are an integral part of an offence (such as online fraud, identity theft and the distribution of child exploitation material).

169. With the passing of the Cybercrime Act, 2015 the child must feel safer in seeking, receiving and imparting information. The freedom of expression is healthier as limits have been set out to prevent the sharing of pornographic material related to persons under the age of eighteen. Section 14, part (a-f) states that a perpetrator of an offence that is defined under the Cybercrime Act, 2015 as child pornography is guilt of an offence that is punishable by imprisonment for a period not exceeding ten years.

170. An offence of child pornography is described as producing and distributing child pornographic material through an electronic system or offers of the sort, procuring or obtaining child pornographic material through the same means for oneself or another person, storing child pornographic materials in an electronic system nor data storage medium and having access to information and communication technologies to such materials. However it is a defence to a charge if the reason for storage was a bona fide law enforcement purpose but must be deleted as soon as it is no longer legally required.

171. Section 15 mentions the Solicitation of Children as an offence whereby if a person through the use of information and communication technology, proposes to a child to meet him or her with the intent of committing an offence and is followed by material acts leading to the meeting. This is punishable upon conviction to imprisonment for a period not exceeding ten years. It is significant to note that it is an offence under the said Act to transmit or cause to publish any material or information appeals to prurient interest or if its effect is such as to corrupt persons, who read, see or hear the information or material contained. This will be punishable upon conviction for a period not exceeding ten years or a fine not exceeding $30,000 or both.

Freedom of thought, conscience and religion

172. Article 14(1) of the Convention on the Rights of the Child provides that "State Parties shall respect the right of the child to freedom of thought, conscience and religion." Article 11 of the Constitution of Nauru provides that a person has the "right to freedom of conscience, thought and religion, including freedom to change his religion or beliefs and freedom, either alone or in community with others and in public or private, to manifest and propagate his religion or beliefs in worship, teaching, practice observance. Recently, refugees of the Muslim faith practiced "Ramadan" and it was explained throughout the Nauruan communities via the dissemination of information by Connect Resettlement.

173. Article 11(3) further provides that "except with the consent of a person under the age of twenty years, no person attending a place of education is required to receive religious instructions or to take part in or attend a religious ceremony or observance if that instruction, ceremony or observance relates to a religion other than his own belief."

174. In Nauru school practice it is the school principals mandate to value individual differences and diversity of people and understands the cultural, ethnic and social contexts within the school community. This is essential especially with the presence of different

religious groups which are acknowledged through the inclusive scope of the optional religious instruction syllabus that is available in all schools from infant level to secondary level. This is facilitated by church leaders of the relevant groups with syllabus contents comprised according to their own religious doctrines. Students who do not wish to participate in any class are given a choice to choose which class to attend. School principals have been actively involved in the integration of refugee and asylum seeker children into the school system.

Freedom of association and of peaceful assembly

175. Article 15(1) & (2) of the Convention on the Rights of the Child provides that "State Parties recognizes the rights of children to freedom of association and to freedom of peaceful assembly" and that "no restrictions may be placed on the exercise of these rights other than imposed in conformity with the law." Article 13(1) of the Constitution of Nauru provides that "persons have the right to assemble and associate peaceably and to form or belong to trade unions or association." Even though the words "child or children" are not specifically mentioned, provisions of Article 3 of the Constitution in the "Protection of Fundamental Rights & Freedoms" is inclusive of this demographic.

Access to information and protection from material harmful to children

176. The Cyber Crime Act 2015 is a significant piece legislation aimed exclusively at cyber safety particularly the protection of children from abuse. The Cyber Crime Act 2015 was enacted by parliament to combat the growing cases of sexual assault and abuse of minors via social media. Cybercrime is used to describe both: crimes directed at computers or other information communications technologies (ICTs) (such as hacking and denial of service attacks), and crimes where computers or ICTs are an integral part of an offence (such as online fraud, identity theft and the distribution of child exploitation material.

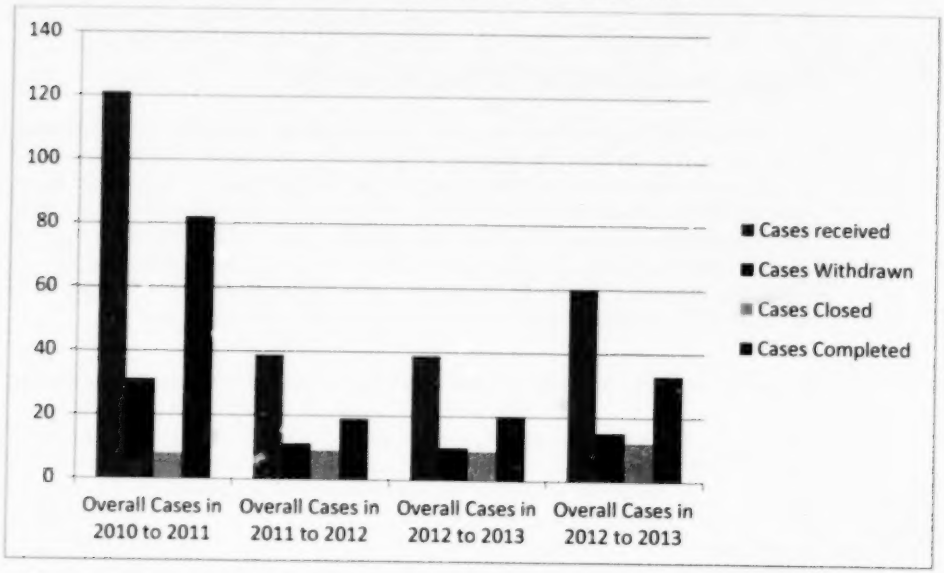
The right not to be subjected to torture or other cruel, inhuman or degrading treatment or punishment, including corporal punishment

177. Domestic Violence and Child Abuse are the most common forms of cruel, inhumane or degrading treatment including corporal punishment. The Nauru Police Force Domestic Violence Unit ("NPFDVU") deals with reports that constitute to domestic violence and child abuse related offences involving any member of a family household. A high percentage of reports received consist of females being the victims and in some cases children in both sexual and child abuse cases. As there is no provision in the laws of Nauru to prosecute child abuse perpetrators the offence is identified legally as an assault charge. However with the revision of the Criminal Code of Nauru child abuse will soon be included.

178. Initially reports are put through to the DVU via the Patrol desk as the immediate point of response. Instant investigation of the offences reported are firstly dealt with by the Patrol Unit and then passed on to DVU. Sexual offences and child abuse cases within the domestic setting are instantaneously forwarded to the DVU to initialize and proceed to prosecution. There is a high number of withdrawal to receipt ratio that are made by complainants and victims of the relevant matters due to reconciliation where family members have reconciled, financial issues where a dependent feels they will be financially disadvantaged with the prosecution of the perpetrator and last but not the least where the report will reveal "taboo" issues marring the family name.

179. Cases are deemed closed due to insufficient evidence where victims or witnesses have decided not to comply with the investigation and do not provide substantive information in regards to the incident.

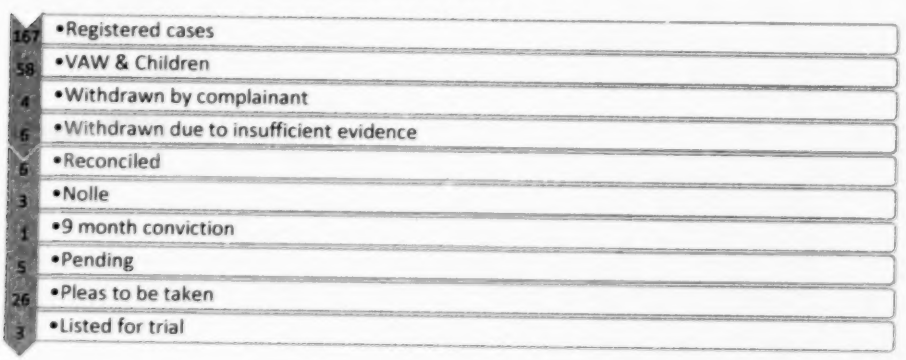
Figure 13
Annual Summary of Overall Domestic Violence Cases from 2010 to 2014



Source: Figures were derived from statistics provided by NPF DV Unit.

180. Important to note that many cases that proceed to the prosecution stage are withdrawn by the victims or witnesses due to reconciliation, fear of financial hardship and the protection of personal image as well as the family reputation. There are seventeen ongoing cases with the Child Protection Services (CPS) from the 6th of July, 2015. Two cases have come to a close. There are five cases related to sexual abuse, five cases of non-sexual physical abuse and five cases of child neglect.

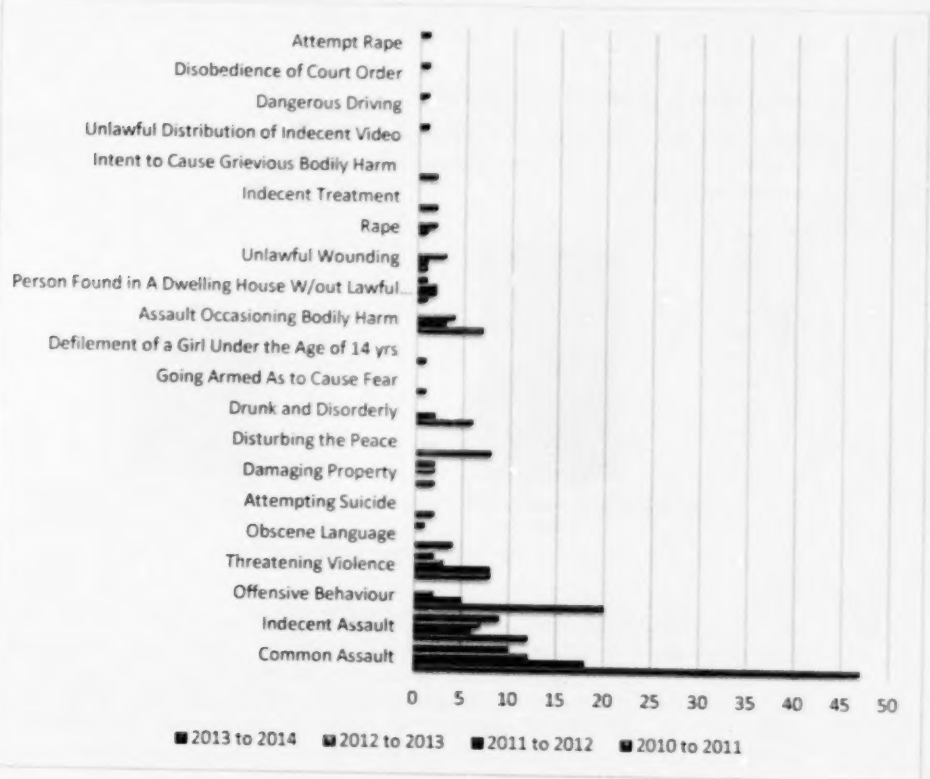
Figure 14
Summary of Registered Cases in the Courts of Nauru



181. In receipt of a DV report from the Patrol Unit the DVU investigates and identifies other criminal offences that are committed during the one incident. There is usually a sequence of occurrences that take place in the act of domestic violent and the DVU isolates each offence to the different charges under the Criminal Code.

Figure 15

A Summary of Offences Derived from Domestic Violence Incidents



182. Although these offences do not necessarily involve the child as the victim most of these incidents occur within the family in the presence of children.

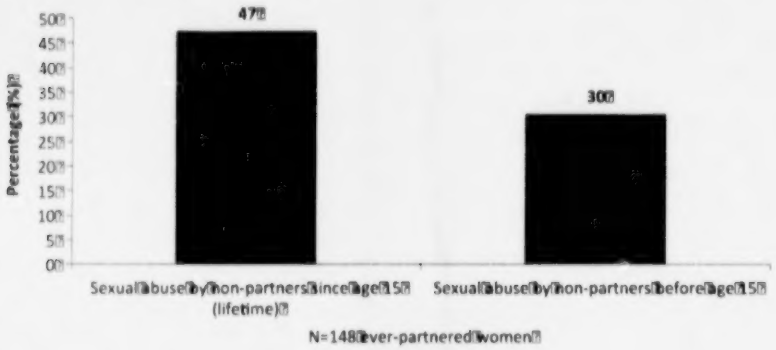
183. Although no specific data exists in relation to child abuse and neglect, the Nauru Family Health and Safety Study 2014 estimated that 48.1% of women who ever had an intimate relationship experienced physical and/or sexual violence by a partner at least once in their lifetime. Given that many families in Nauru live in collective housing arrangements, it is likely that children are at the least witnesses to physical violence if and when it occurs in the home. The study also explored sexual violence in childhood, asking of women's experience of sexual abuse before the age of 15. The study found that over 30% of women surveyed reported having been sexually abused – with the majority (11.5%) reporting that the abuse occurred between the ages of 10 and 14, and 5.4% reporting that abuse had occurred between the ages of 0 and 9. Of these, the majority of the perpetrators were male family members (12.2%) with 5.4% as male non-related. The following is extracted from the NFHSS and exploratory study on Family Violence in Nauru conducted by the Ministry of Home Affairs and funded by Ausaid.

Sexual violence by non-partners since age 15

184. Non-partner sexual violence since the age of 15 was measured by asking respondents whether they had ever been forced to have sex or had to perform a sexual act when they did not want to by anyone other than an intimate partner. Slightly over 47% of women who participated in the survey experienced sexual abuse by a non-partner since age 15 and 12.2% experienced such violence in the 12 months preceding the interview (Table 5.3). The most common act of sexual abuse by non-partners was attempted intercourse or other unwanted sexual abuse act (41.4%), followed by women who experienced forced intercourse (24.3%).

Sexual abuse in childhood before age 15

185. The FHSS explored sexual violence in childhood by asking women whether anyone had ever touched them sexually or made them do something sexual that they did not want to do before the age of 15.



186. The UNICEF Situation Analysis of Children, Youth and Women report (2005) found that assaults, including severe assaults, accounted for 20.4% of all crime reports between July 2002 and June 2003. Indecent assault (females and males under age 17) and rape together accounted for only 1.1 percent of all crime reports in the same period (Nauru Police Department, 2004). The Department of Justice statistics for 2003 mentioned three prosecutions for rape and there are said to have been two prosecutions for incest in recent years (Department of Justice, 2004).

187. The Domestic Violence Unit, established by the Nauru Police Force in 2007, also collects limited data on VAW. Statistics for 2013 show that the most common crimes against women were common assaults (13 cases), bodily harms (6 cases), threats (6 cases), and indecent assaults (4 cases). Other reported crimes included 1 case of rape and 1 case of child abuse.[1]

Measures to promote physical and psychological recovery and social reintegration of child victims

188. The Government of Nauru currently provides counselling services through the Safe House that is managed by the Department of Home Affairs. The counselling service proved is inclusive in its approach and places priority on the welfare and best interest of the child.

[1] Statistics provided by the FHSS National Coordinator in September 2014.

VII. Family environment and alternative care

Family environment and parental guidance in a manner consistent with the evolving capacities of the child

189. The Guardianship of Children Act, 1975 legally supports the legitimate responsibilities of parents and guardians. It came in force and was certified by parliament on the 3rd of October, 1977. It outlines the permissible obligations of parents within the lawful bounds and regulates their power to appoint guardians and the licit powers of the Courts in relation to the custody of the Child. The mother and father of the child is the primary guardian of a child within their natural rights thus this Act holds the parent's accountable for children's upbringing and realizes their duties herewith.

190. Section 6 Part (2a-b) states that the mother of the child is the sole guardian of the child if she is not married to the father of the child whether it means that they have never been married or the marriage was dissolved before the child was conceived. Provided that the mother passes away (Section 3) the father may apply to the Supreme Court or Family Court to be appointed as Guardian of the child. Section 4 further elaborates that as the surviving parent they shall be the sole guardian.

Parents' common responsibilities, assistance to parents and the provision of childcare services

191. Parenting programs are also being implemented in the community. The Department of Education is working with an expert in teenage parenting skills who is implementing a program on teenage parenthood. Three of six play centers have been built to encourage young mothers and fathers to bring their children who are not yet of schooling age and self-teach their children through self-demonstration on how to do things. At the same time parents receive counselling on future prospects regardless of being mothers or fathers.

Recovery of maintenance for the child

192. The Maintenance Act 1959 relates specifically to the maintenance of the wife and children. The Maintenance Act 1959 defines a child as a child under the age of sixteen years whether born in lawful wedlock or not. Section 4 of the Maintenance Act 1959 states that a court may issue summons or warrant where: (a) a husband has left his wife without means of support; (b) a father has left his child without means of support; (c) a husband or father is about to leave the island without making adequate provisions for the support of his wife or child.

193. In this case the Court may on complaint by oath of the wife or by the mother or child or by a reputable person on behalf of the wife or child issues a summons requiring the husband to appear before it to show cause why he should not support his wife or child, or may, where the circumstances seem to the Court to require it, issue a warrant for the apprehension of the husband or father.

194. Furthermore, section 5 (1) (a) (i) (ii) (iii) (iv) of the Maintenance Act 1959 states that upon the hearing of a complaint under the last preceding section, the Court shall inquire into the matter of the complaint, and: if it is satisfied that the wife is in fact left without means of support or that the defendant is about to leave the Island without making adequate provision for her support, may: (i) order the defendant to pay, for the support of the wife, such allowance as it considers reasonable; Commit the legal custody of a child of

the marriage to the wife or some other person; grant the wife, or the defendant, or both, access to the child; and order the defendant to pay, for the support of the child, such allowance as it considers reasonable; and if it is satisfied that a child of the defendant is in fact left without means of support or that the defendant is about to leave the Island without making adequate provision for the support of the child, may: order the defendant to pay, for the support of the child, such allowance as it considers reasonable; commit the legal custody of the child to the mother or another person; and grant the mother, or the defendant, or both, access to the child. An allowance ordered to be paid under the last preceding subsection is payable weekly, fortnightly or monthly, and to such person and in such manner, as the Court orders. An order for the support of a child or an order committing the custody of a child to a person ceases to be in force after the child has attained the age of sixteen years or dies, except for the recovery of arrears then due under the order.

195. Section 8 the Maintenance Act 1959 states the Court in making the order may, instead of or in addition to any other order for relief under this Act, make order authorising and directing a person to demand and receive an annuity or other income payable to the husband or father, or moneys received or receivable or held by a person in trust, to be paid periodically or by instalments or otherwise to or for the husband or father, or such portion of the annuity, income, or other moneys as the Court thinks fit, and to appropriate the proceeds towards the support of the wife or child in such manner as the Court directs.

196. Section 9 of the Maintenance At 1959 states that the Court is satisfied that the defendant has left his wife or child without means of support it may, in and by its order, authorize and direct a person forthwith to seize and sell the defendant's goods, chattels, or securities, and to demand and receive his rents, or such portion of those goods, chattels, securities, or rents as it thinks fit, and to appropriate the proceeds towards the payment of the allowance directed to be paid under the order in such manner as it directs.

197. Section 23 states that the "father or mother of a child, being able to maintain the child, shall not willfully and without lawful or reasonable cause or excuse desert the child or leave it without means of support. Penalty: Imprisonment for one year".

198. Nauru is not a party to the Hague Convention on the Civil Aspects of International Child Abduction, or Hague Abduction Convention.

Illicit transfer and non-return

199. The Immigration Act 2014 defines a child as a person under the age of 18 years and is in line with the Convention on the Rights of the Child. Additionally Part 4 of the Immigration deals specifically with issues relating to trafficking in persons and smuggling of migrants. It constitutes offenses that occurs in and outside Nauru in circumstances in which: (a) Nauru is the receiving country or which the exploitation occurs in Nauru; or (b) the receiving country is a country other than Nauru and the offense of trafficking in persons or smuggling of migrants originates in Nauru or the persons or migrants transit through Nauru; or (c) the person who engages in the act of trafficking in persons or smuggling of migrants is a Nauruan citizen or a Nauruan visa holder. Additionally, section 16 of Part 4 of the Immigration Act 2014 clearly states that a person who engages in trafficking a person knowing that the person's entry into Nauru or any other country was arranged by unlawful means commits and offence. Furthermore, section 17 of Part 4 of the Immigration 2014 a person who engages in trafficking a person who is a child, regardless of whether the child's entry into Nauru or another country was arranged commits an offence.

Abuse and neglect (art. 19), including physical and psychological recovery and social reintegration

200. Department of Women's Affairs. Government established a Women's Office in 1997 prompted by the Beijing Conference in 1994 and employed two officers, an Officer in Charge (OIC) and a Secretary to oversee the work. Assistance was sought from the Pacific Women's Resource Bureau (PWRB) in New Caledonia in August 1998 to assist the officers in setting up office and to formulate a National Action Plan for the office. Consultations with government officials, women, district representatives, and church leaders took place and in October 1998 a Work Plan was developed with agreed national commitments built around the Beijing priorities and focuses the efforts of the Women's Office on issues such as: (a) women's health; (b) violence against women; (c) education and training for women; (d) women in decision making; (e) rights of women, and; (f) women's participation in the economy with the overall mandate "to Advance and Improve the Lives of Women in Nauru".

201. Since the establishment of the Women's Office in 1997, there has seen some significant changes, the up scaling of the Women's Office to Women's Affairs Department (WAD), under the Ministry of Home Affairs, increased member staff, a separate budget to carry out work on projects, national workshops, and programs identified as needs of women around the districts and attendances at Regional and International training workshops and consultations.

202. A Safe House was established in 2008 and, in 2013 was relocated to a larger five air-conditioned bedroom premises. The Safe House as named "Eoag 'N Ratequo" meaning a "Home for Visitors" provides refuge to survivors of domestic violence and counseling services. The Eoag 'N Ratequo is generally for short term stays, with the premises not secure enough or equipped for longer term stays.

203. Since established, on average there is approximately one woman a month that either seek refuge or counseling at Eoag 'N Ratequo (Safe-House). There is no indicative indication on the length of stay by a woman seeking refuge. Additionally, the longest stay was in 2008 where a non- Nauruan woman married to a Nauruan man stayed for over 3 months (with her 7 children), as she had no family to go to. Government offered a temporary shelter whiles the Domestic Violence Unit (Police) and the Women's Affairs Department continued with its official investigations.

204. The Eoag 'N Ratequo (Safe House) is also used to accommodate resettled victims of domestic violence. The Women's Affairs Department (WAD) employs a Counselor Coordinator and an Assistant Counselor to offer in house counseling service and support and has on many occasions, cared for survivors who seek shelter at the Safe House. The Safe House has also been used to accommodate children, particularly within the family context. Refurbishments are currently underway to make the Safe House a more child friendly environment, including suitable bedding, furniture and play equipment.

205. Safe House staff also provides counseling and support services to families and children; and conduct a parenting program "Building families for life". Support for victims of family violence, including children is provided including practical support such as determining safe accommodation, as well as support through the police and court/legal processes. In mid-2013 a men's worker was employed by the Women's Affairs Department under the Ministry of Home Affairs to run the Self Help Ending Domestics Program (SHED) which facilitated an 11 weeks training program for perpetrators of violence under the Nauru National Women's Plan of Action. The position also provides counseling to men and boys in regards to the elimination of violence against women. Investment in working

with men and boys will have long term benefits and is likely to have a strong impact on reducing domestic and family violence.

VIII. Disability, basic health and welfare

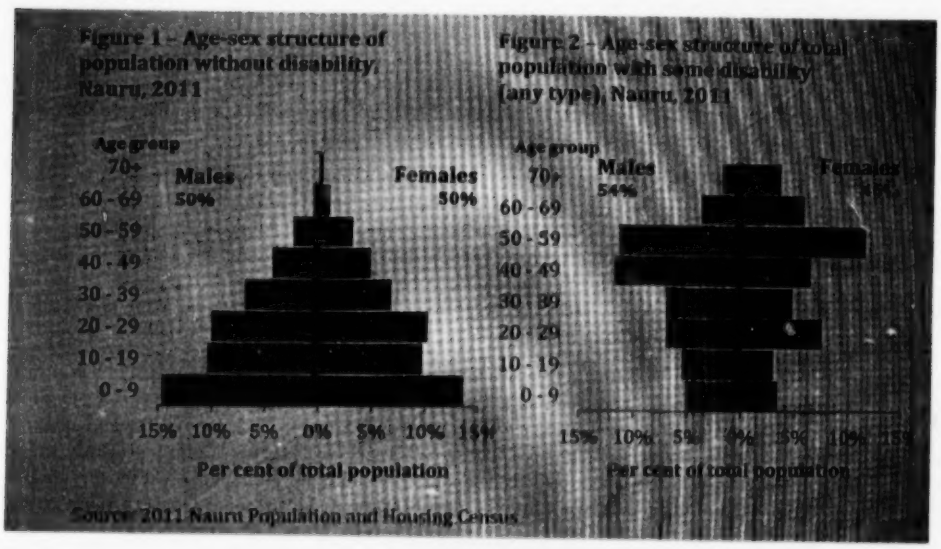
Survival and development

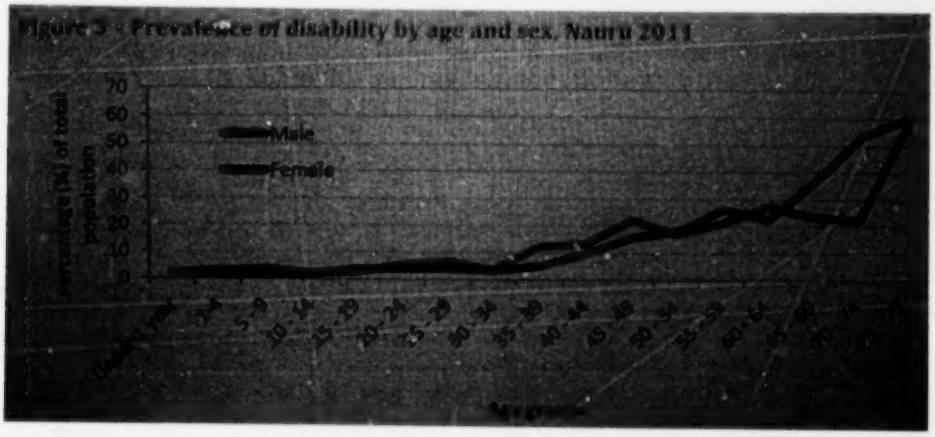
206. HIES data enables tabulations to be developed to the various characteristics of vulnerable groups, notably children, the elderly and female headed households, and to relate these to the expenditure level of the HH. The first chart illustrates, for example, the proportion of children falling below the BNPL compared to the proportion of the total population falling below the BNPL.

207. In both male and female headed HH the proportion of children living below the BNPL is slightly lower than the average for the population as a whole.

Children with disabilities

Figure 16
Disability by age





208. Article 23 of the Conventions on the Rights of the Child provides that "State Parties recognize that a mentally or physically disabled child should enjoy a full and decent life, in conditions which ensures dignity, promote self-reliance and facilitate the Child's active participation in the community." Children with disabilities are not integrated into streamline education however, have a center of their own, although support is provided by the Education Department under the Education Act 2011.

209. Disability was not considered a part of Nauru society's onus but, was rather seen as a family onus, according to the Nauru Country Report. Their recognition was mainly due to the efforts of the disable persons themselves who rallied together and formed the Nauru People Disable Association (NDPA). From this group, some friends and parents of disabled children got up and raised diverse disability issues of their children which resulted in the formation of the "Able Disable Parents & Friends Association", (ADPFA). The Association was responsible for the set-up of the affiliation between governments and civil society which resulted in the establishment of the "Able Disable Centre" for children with disabilities under the Ministry of Education.

210. Children with disabilities are not integrated into streamline education, however, a center of has been established which caters to their educational needs. The "Able Disable Centre" of Nauru was established in 2002. This is the first centre established in Nauru for children with special needs. To date, the Able Disable Centre is resourced by a teacher in charge, 2 teachers, 3 trainee teachers with one, teacher being hearing impaired.

211. Currently, 42 students, with ages ranging from 4 to 34 attend classes at the Able Disabled Centre. Classes are held from Monday to Friday and as follows: minors start at 9:00am to 12:00pm; and primary & secondary level from 9:00am to 3:00pm. Current programs taught at the Able Disable Centre focus on: a) life Skills in gardening, cooking, health and art & craft; and b) Individual Education Program (IEP). Inclusive education will be progressively realized in the coming years.

212. It is believed that there are more numbers with children with disabilities that are unreported and this is due to the fact that some parents are: (a) over protective and are keeping or looking after their own children by themselves; (b) some parents are not comfortable with the Able Disable Centre staff being unqualified in specific areas within the child's special needs; (c) lack of specialized equipment's and parts; (d) lack of resources; (e) no proper curriculum/program. The current curriculum/program is the one of "Early Childhood" offered by the Ministry of Education. This is useless where the child suffers from blindness, deaf and autism.

213. The Nauru National Policy on Disability 2015 ("herein referred to as NNPD") sets out a comprehensive framework to address the needs and rights of persons with disabilities in particular to improve the quality of their lives and their full and equal participation as empowered citizens. The NNDP reflects Nauru's vision of a disability-inclusive and barrier-free society where persons with disabilities are able to enjoy all human rights on an equal basis with others, and to live a life of dignity. The vision also reflects key principles and core values articulated under the Convention on the Rights of Persons with Disability (CRPD) to which Nauru acceded in June 2012, in particular the principles of non-discrimination, respect for inherent dignity, and full and effective participation and inclusion. It identifies priority strategic areas for building greater inclusion and dismantling the barriers that hinder the full participation of persons with disabilities in the political, cultural social and economic life of Nauru. Significant to note, the CRPD provides an overall guiding framework for the Nauru National Policy on Disability, and is referenced in each priority area along with two key regional frameworks – the Incheon Strategy to Make the Right Real for Persons with Disabilities in the Asia Pacific Region 2013-2022 and the Pacific Regional Strategy on Disability (PRSD): 2011-2015. Nauru is a party to both key regional frameworks.

214. In terms of health, the Ministry of Health & Medical Services needs to specifically address and diagnose the child's disability so that proper attention and expertise can be provided. Schools for children with disabilities are provided free transport and ramps have been constructed in schools to address easy egress.

Health and health services

215. Article 24 of the Conventions on the Rights of the Child stipulates that "State Parties recognize the right of the child to the enjoyment of the highest attainable standard of health and to facilities for the treatment of illness and rehabilitation of health. State Parties shall strive to ensure that no child is deprived of his or her right of access to such health care services."

216. Nauru's Constitution provides the legal basis and mandate for the establishment and provision of health services in the country. The mandate of the Constitution is translated and incorporated by elected Governments in its long term Development Plans or Strategies. Sector plans are normally formulated by Government Ministries for medium term periods of up to 10 years to prioritize and strategize the Development Plan.

217. The National Sustainable Development Strategy (NSDS) is the long term development strategy of Government covering a period of 20 years. The NSDS has the vision of "A future where individual, community, business and government partnership contribute to a sustainable quality of life for all Nauruans." With the influx of the asylum seekers, this needs to be reviewed.

218. The Government of Nauru is the sole provider of health care services on the island of Nauru. The Ministry of Health's goal is to provide quality health services that are accessible by all communities. Some of the challenges faced by Government are outlined in the table below:

Finance	Health fund that is highly dependent on donor fund injection can be unsustainable. Cost recovery and user fees could be applied to specific health services if policies are favorable to Government;
Human resources	Human resource remains a major challenge for the Ministry of Health. The high dependence on expatriate staff is both unsustainable and expensive. The high attrition rate for local staff is also a concern and requires a whole of Government response. The strategic plan has human resource development particularly training as a key objective with committed funds dedicated to it;

Preventative Health	Outcomes on disease prevention strategies remain to have significant impact on incidence of common diseases. Preventive health strategies on disease prevention need to refocus on getting more community involvement and participation;
Health Information	Weaknesses in health information complicate data analysis for planning in service delivery, disease monitoring and surveillance. Development of minimum data will be priority in the strategic plan;
Clinical Services	With high disease prevalence and morbidity on several non-communicable diseases, diagnostic services need to be upgraded to meet requirements for patient management. At least microbiology and mammography need introduction and support.

Health services and utilization

219. According to administratively collected data from the RON Hospital for 2007 and 2008, access to and utilization of health services in Nauru compares very favorably with other low income countries. This probably reflects the excellent access that can be achieved in a small island state, and the absence of use fees for the majority indigenous Nauruan population. "Nauru has committed to the health-related Millennium Development Goals (MGD) which are included in the National Sustainable Development Strategy (NSDS). As a signatory to UN Conventions and Treaties, the Government of Nauru also has obligations to meet the requirement of the Framework Convention on Tobacco Control, the International Convention on Population Development, the Women Plan of Action, the Convention on the Rights of the Child and the WHO Constitution."

220. Progress on the achievement of the MGD has been slow and it is anticipated that Infant Mortality Rate (IMR) would be at least achieved by the end of 2015. Maternal mortality ratio is an indicator that is difficult to compare across countries especially in those with a population of less than 10,000. Furthermore, challenges and difficulties in consolidating data under health information is a real challenge in Nauru. Attempts and steps have now been taken to address health information issues in the Ministry.

Infant and child health

221. Available data indicate that infant (IMR) and under 5 mortality rates (U%MR) remained steady at 24 and 30 per 1,000 live births, respectively from, 1990 to 2010. However, the 2002 census recorded an IMR of 42.3 per 1,000 for non-Nauruan residents of the island and 36.6 for indigenous Nauruan; moreover, a 2003 study of hospital records suggested that the true overall IMR may be 44.1 per 1,000 live births (53.3 for non-Nauruans and 42.1 for indigenous Nauruans. It also represents a substantial increase compared to the mid-1990s, when the IMR was estimated at 21.4 and 12.5 per 1,000 for the non-Nauruan and Nauruan population, respectively.

222. According to more recent data, the rates of infant and under-five child mortality is shown in the table below along with the proportion of children with low birth weight:

Figure 17
Under-five child mortality is shown in the table below along with the proportion of children with low birth weight

Infant mortality rate Under 5		*Low Birth Weight*	
2013	29.7%		
2014	22.1%	2014	6.2%

223. The rate of child mortality due to suicide is "Nil".

224. Neonatal mortality is estimated at 14 per 1,000 live births; the principal causes are prematurity (reflecting the limited facilities for advanced neonatal care at RON Hospital), sepsis, congenital abnormalities and sepsis. (Source: Ministry of Health & Medical Services Strategy Plan 2010-2015).

225. Childhood immunization against poliomyelitis, diphtheria, tetanus, pertussis, measles, and tuberculosis (BCG) is centrally through the Maternal and Child Health (MCH) clinic located at the public health unit, opportunistically at the RON Hospital, and also through periodic supplementary immunization outreach activities (SIAs). An initial cycle of vaccination against Haemophilus influenza type b (Hib) infection has been conducted, and Hib vaccine was incorporated into the routine schedule in March 2010. The 2007 DHS, which was based on inspection of parent-held cards, indicates that immunization coverage remains consistently high across the island for all antigens.

226. Overall, among children aged 18-29 months, 95% were fully vaccinated (i.e. had received BCG, measles vaccine and the third dose of diphtheria-tetanus-pertussis vaccine (DTP-3). Only 2% of children were unvaccinated.

227. In particular (given recent outbreaks of measles in the Pacific), Nauru has achieved and maintained consistently high measles coverage rates (around 95%) – above the 90-92% coverage rate that is required to prevent break-through transmission of measles. In an updated data collected from the Ministry of Health, the Table below shows the Immunization coverage for 2014.

Figure 18
Immunization coverage for 2014

Vaccine	*Coverage*
BCG/ TB	100%
Hepatitis B vaccine at birth within 24 hours	100%
DPT/Polio Pentavalent vaccine	80%
Measles	80%

228. Health financing and human resources for health remain as major challenges to the health system. With a free health service, consideration for revenue generation could be explored as means to boost health funding. Furthermore and in relation to human resource for health, continue training and development of nationals needs to be maintained. Improvement of data collection and analysis is required of the health information unit to support not surveillance but also health care services.

Reproductive health rights of adolescents and measures to promote a healthy lifestyle

Age specific fertility rate by 3 years period 2008-2013 and Census 2011 Age – ASFR – 3 years period

Age Group	*2008-2010*	*2011-2013*	*Census 2011*
15-19	76	100	75
20-24	214	240	224
25-29	223	199	231
30-34	149	148	183
35-39	84	73	97

Age specific fertility rate by 3 years period 2008-2013 and Census 2011 Age – ASFR – 3 years period

Age Group	*2008-2010*	*2011-2013*	*Census 2011*
40-44	26	15	26
45-49	1	2	0

229. It is clear that fertility is high in the teenage years, increases while women are in there 20s, remains relatively high for women aged 30-34, and then starts to fall. The teenage fertility rate was estimated at 100 (95% CI: 73-148) births per 1000 teenage women population during 2011-2013, and 77 (95% CI: 53-115) births per 1000 teenage women in 2008-10. The confidence intervals on these numbers are large and overlap, which does not allow for a meaningful trend. However, the Nauru Census 2011 reported 75 births per 1000 teenage women, which agrees with this data that teenage fertility is high.

230. The United Nations Millennium Development Goals number 5 is to "Improve Maternal Mortality". It consists of the adolescent birth rate which measures the annual number of births to women 15 to 19 years of age per 1,000 women in the respective age group. It represents the risk of childbearing among adolescent women 15 to 19 years of age. It is also referred to as the age-specific fertility rate for women aged 15-19. Nauru does not appear to have made any gains against this goal over the 6 year period shown.

Measures to prohibit and eliminate all forms of harmful traditional practices

231. The Department of Home Affairs is working on informing the general public about the impact and effect of traditional harmful practices on the lives of children. It is envisaged that the Child Protection Services Division will work towards identifying those traditional harmful practices that poses a threat to the realisation of the right to life of children and develop specific policies against the use of traditional practices.

Measures to protect children from substance abuse

232. Though substance abuse is not a problem on Nauru, there are relevant legislations already in place that protect children from substance abuse. The Police Offences Ordinance prohibits the consumption of alcohol by any persons under the age of eighteen. Alcohol consumption children are a growing concern in the Nauruan community. As the school retention rate decreases amongst school aged children the under-age consumption of alcohol and cigarette smoking is inversely proportional to this.

233. Notices are posted in every restaurant and business outlet notifying the public the selling of tobacco to children is prohibited by the Tobacco Control Act, 2009 Section 9, Subsection 1. Such offences are punishable by increasing fines according to subsequent offences of the same perpetrator. It is also considered an offence to sell or import for sale confectionery or a toy that is designed to resemble a tobacco product under Section 12, Subsection (1).

234. The Liquor Act 1967, Section 33, Subsection (1 to 5), prohibits the sale of liquor to young persons who is defined as being under the age of twenty one years. It is also illegal to send a person of this age to buy liquor or to employ such a person at a liquor store. However it is a defence to a prosecution for an offence if the employee proves his belief of the person being of a mature age of twenty one years or over. It also states that a person

under the age of twenty one who attempts to obtain or consumes liquor shall be guilty of an offence.

Measures to ensure the protection of children with incarcerated parents and children living in prison with their mothers

235. The 2015/ 2016 Budget for Nauru has introduced the garnishee order of salary of a sole bread winner of a family. It is implied that the amount fort nightly will be $200 and it will require the prisoner to work whilst in prison to feed the family.

236. A precedent that has been set by the Courts of Nauru is that a mother was incarcerated who had just given birth and she was allowed to keep her baby with her in prison for the purpose of breast feeding. After six months the baby was released under the care of the father until the rest of the mother's term in prison. The cells within the correctional services are gender and age segregated. Female cells are designed to allow for family visits including children and also accommodate for breast feeding period of a new born baby.

IX. Education, leisure and cultural Activities

The right to education

237. Article 28 of the Convention on the Rights of the Child provides that "State Parties recognize the right of the child to education and with a view to achieving this right progressively and on the basis of equal opportunity ..." Under the Education Act 2011, education is free and compulsory to all children from 4-18 years of age that is defined as "School-aged children". The rights to education of children with disabilities are also encompassed in the inclusivity of the Act.

238. The Education Act 2011 prohibits the use of corporal punishment and a penalty of $500.00 fine is imposed if found guilty. The Education Act is further enforced by the "The Teachers Code of Ethics", and the "Four Components of Education Pillar." Bullying and mobbing do exist and an Anti-Bullying Policy is being drafted to curb these problems. An anti-bullying program called "Rock and Water" was delivered by Save the Children (SCA) and coordinated by Family and Community Services. It is a psycho-physical method teaching mental and social skills to young people through group support, respect and encouragement.

Aims of education with reference also to quality of education

239. The National Quality School Standards Framework 2011-2020 for the Republic of Nauru was published in 2011. It is a blue print for the achievement of quality education system set for implementation by the Ministry of Education in 2011 up to 2020. It was developed by valuable input of international education consultants including school-based and central office staff. The framework incorporates the four main pillars which are, Quality School Governance, Positive School Environment, Effective School Management and Quality Learning Outcomes. Within the pillars are sixteen standard components and sixty four indicators of educational quality. The report focuses on the targets that have been attained by the schools regardless of the specified timelines that take into account the different times each school may achieve standards which are: (a) immediate standard targets must be met by each schools within two years; (b) short term standard targets must

be met by each school within five years; (c) medium term standard targets must be met by each school within seven years; (d) longer term standard targets must be met by each school within ten years

240. Quality School Governance encompasses interpersonal skills employed by the school principal in leading the school community which is indicative of People leadership. All schools hold weekly staff meetings and student interaction with the principal is encouraged through the head office being the base for counseling of student with behavior and academic problems.

241. In parent-teacher interviews, the principal is involved as the first point of communication to parents about their child's general interaction in the school community from the principal's perspective. The presence of every school principal is also compulsory for Parent Teacher Association meetings that are held monthly within the respective schools.

242. The principal has a direct duty to guide, support, mentor and professionally develop staff and students. Time is allocated for the Principal to sit in during class lessons to observe teaching practices and facilitation. A peer mentoring program for staff is run fortnightly where in-service presentations are conducted by teachers of different subject areas on their area of expertise. Addressing underperformance of staff is the principal's sole responsibility within the school. At Nauru Secondary School the Principal of Nauru Secondary School has been instrumental in the selection of staff for TVET trainings in Brisbane Queensland. The School Principal communicates to the school community with influence. Staff meetings are held weekly in every school for the principal to discuss professional matters. The publication of school newsletters are on a temporary hold because of financial constraints to provide for stationeries and other printing devices like printers and computers.

243. All schools monitor their school attendance rates through daily attendance roles that are collated into percentage rates at the end of each school month. A register is kept of a list of children's names that are eligible to attend school and encouraged through media for all to be enrolled. The percentage rates reveal a percentage rate that takes into account truant students and those who have not yet enrolled however it also includes those who are studying overseas therefore maybe a margin short of the actual figures. The responsibility of student attendance is now delegated to the Education Liaison Office (ELO) whose task is to consult with parents through written explanation and work with the families to identify solutions for their children's absence.

244. Each school has developed their own set of educational philosophies that revolve around school practices from classroom to playground. "Be respectful, Be a learner and Be responsible" are three main guiding principles for all schools.

245. All infant schools have refurbished playgrounds with newer and safer modern play equipment's. Yaren Primary School has additional renovated class rooms and the beach has been fenced off to keep children within the school premises as well as intruders outside. Nauru Primary School initially moved from the original site in Aiwo district which burnt down in 2010 due to unknown causes. There is a security house at the entrance of the school premises for visitors to sign in and out. It has moved to a temporary location in Meneng district and a permanent site is still under discussion. It has been decided that the old school area will block plane landing if the new designs of a two story school is erected. Nauru Secondary School rebuilt through Ausaid donor funding has been commended regionally as one of the best constructed school that is disability friendly. A security house is also located at the entrance. Kayser College is undergoing restoration of classrooms to renew the school infrastructure. Nauru College has built a new set of science labs with state of the art laboratory equipment's as well as scientific pedagogical aids.

246. The implementation of the National Curriculum is coordinated through the Head Office of the Principal with the support of school staff to modify and adapt so that various special needs of students are addressed. In Nauru Secondary School streamline teaching has seen to work but it has changed to adhere to encourage integrated teaching methods for equal learning opportunities.

247. Parent Teacher Association meetings are held monthly to involve parents in decision making of major considerations within the school. Staff meetings are held weekly as a forum for teachers to present their views on related issues. Head of School's meetings take place every month for heads of schools to present these issues and plans for the Secretary's input and approval.

248. Proper hand washing procedures are taught at infant level all throughout lower primary as a very important part of life. Personal hygiene is taught within the school context and is monitored and addressed when issues arise. At the lower and upper secondary schools gender meetings are held to address sanitation and hygiene for boys and girls. The Nauru Rehabilitation Corporation Waste Management Unit is responsible for the collection of the each skip bin that is placed outside every school every two days and when informed by the school that it is full. These skip bins are filled by the environmental officers of the schools.

249. All schools are fenced off from the beach or the roadside and have a locked gate that is secured after school hours. Each school has a designated traffic crossing point and children are taught road and bicycle safety in class and by the Nauru Police Force Traffic Unit during community policing presentations. Within the central office.

250. During enrolment emergency contact numbers of parents and guardian of children are collected and kept in the Head Office of each school. Emergency evacuation, disaster plans and fire drills are regularly practiced in the schools. Each school acquires a fully stocked emergency first aid kit that is topped up free of charge at the RONH. Students who fall ill during school hours are dropped home or parents are contacted to pick up their children.

251. The School Feeding Program that is coordinated under the Ministry of Home Affairs tenders catering bids to the public for catering businesses. Free lunches are given to each student. The food provided must obtain the five food groups as well as healthy drinks. Family planning is now being introduced in the secondary schools within the Family Life Education Module (FLE).

252. School rules and policies enforce a violent-free school environment. In the Education Act, 2011, Section 36 (1) subsection (d-f) it describes the forms of punishable behaviours consisting of behavior that is harmful to the health, safety or welfare of staff or other students; behavior that is likely to cause damage to school property or constitutes the physical element of a criminal offence. In Section 2 and 3 a period of detention can be imposed on the student by the Principal and a justification of imposing more than five days of suspension may be referred to the Secretary for Education who has the authority to suspend a student up to 20 days or more as well as to expel the student from school. Appropriate school work during the days of exclusion must be given to the suspended child to be completed on his or her return to school. Suspension and exclusion can be revoked by the Secretary on application of a parent as supported in Section 36, Sub section 6.

253. Corporal punishment is defined as the physical force applied to punish or correct, and includes any action likely to cause pain or discomfort. It is punishable by law under the Education Act, 2011 Section 37 Subsection (1) and (2) (a-c) with a penalty of $500AUD.

254. From higher primary level up to the secondary level a Behavior Management Committee is comprised of prefects, school captain and vice-captain and a teacher who is

elected as the coordinator. This committee is assigned to duty rosters of the school grounds in addition to the teachers' duty roster. Peer leadership has worked effectively applying a levelled communication of school rules also establishing a reporting system with the teachers on duty where discipline needs to be served.

255. Weekly themes of virtues are announced on Monday assemblies and explained. This is reiterated in the classroom settings by making it visible at all times. This is done within the learning context of the level of the school. In the higher schools the set of school rules are displayed in every classroom. An adopt-a-cop programme has been established between the local police and the school.

256. Display boards have all been installed into classrooms for the teachers to acknowledge students' work. The work display must be changed at the beginning of every new term. With the introduction of modern pedagogies, the alternative use of improvised teaching aid is encouraged especially where there is a lack of teaching resources. The training of teachers has seen innovative ways of teaching citing equal importance of participative work and individual work. Less text book teaching is now being utilized in classrooms and more interactive group work is being used giving ownership to students of their own learning. The curriculum that is put in place has become more child-centered and the teaching and learning method that is required considers the needs of all children first as equal members of the classroom.

257. In 2012 a Uniform Assistance Program encouraged parents to bring in old school uniforms in good condition so that they can be donated to children from low income families. Children are not named but the invitation is extended to all students who require this assistance. Additional to this, funding was donated by the Taiwan Embassy and students who have had problems with school uniform apply to the program in the head office specifying their sizes.

258. Gender equality is a culture that is adamantly practiced throughout the schools. The Prefect Committee is comprised of a balance of girls and boys and leadership of the school and the classrooms consist of a Captains and Vice Captains from each gender. In the 2009 gender options have been broadened with the availability of choices for both girls and boys to join into cooking, woodwork, sewing and other TVET classes.

259. School community relationship between student, teachers, school staff, parents and community members is significant to the overall development of children. Older students look after younger students through the seniority system of leadership. Leaders of the school must be from the highest levels of the school. Prefects are nominated by the teachers and elected by the students.

260. Inter-school and in-school sporting, academic and social events are held annually. Athletics, swimming and field events are examples of sporting competitions that are held between Kayser College and Nauru College in the lower secondary levels forms one to three. This is also held between the four different infant schools, Boe Infant School (BIS), Nibok Infant School (NIS), Anetan Infant School (AIS) and Meneng Infant School (MIS). Academic competition such as mathematics competitions and spelling competitions are also events that are enjoyed by the schools. Within the school students are put into teams for such events. In Nibok Infant School the teams are named after local animals, Ikumo (Pig), Buji (Cat) and Rober (Dog). At Yaren Primary School the teams are named after local reef creatures such as Domirara (Sea slug), Edetan (Starfish) and the Dagiga (Octopus). At the upper levels teams are put into colors of green, orange, yellow, red and blue.

261. Programmes exist within each school to maintain the school grounds, buildings and facilities. Processes that ensure safe, hygienic and sanitary conditions are provided for students and staff of the school. There is efficient and sufficient classroom maintenance and

repair and proper cataloguing and storage of school teaching materials and resources and other school assets.

262. A school environment officer (SEO) has the responsibility of supervising the maintenance of the schools, ensuring the school premises are clean at the interior and exterior of the buildings; fences are intact and parts of building is not damaged. A Maintenance Section at the central education office comprised of skilled carpenters, plumbers and metal workers are the point of contact for handy work requirements in school damages. Maintenance request forms are available at the schools that will be couriered to the main office for attendance by the maintenance team once a week unless the urgent nature of the request requires otherwise an earlier response.

263. A logistics section of the Department of Education is headed by a Logistics Officer and was established five years ago for the better recording and accountability of resource procurement and allocation hence there is a resources register and a consumables register for each school. Annual school equipment and resource stock-takes are undertaken each year.

264. Human resource management has improved with the uppraisal of eighty percent of the teachers which means that there is a higher competency rate for the effective execution of the curriculum in the schools and quality teachers for students learning. All principals have teaching qualifications and salaries have increased according to certification. However there is still a shortage of local teachers while at the interim expatriates are filling in the gaps during training and upgrade of the local teaching capacity. As well as that the extension of the department to include an environmental office for each school with a supervisor, an increased staff number for the maintenance section, a new Education Liaison Officer headed by a Chief Liaison Officer, the Curriculum Case Unit that coordinates the distribution of the curriculum and approves teaching programs proposed by teachers and also the dissemination of teaching resource materials from text books to equipment's, the development of the Evaluation and Monitoring of Information System division and the creation of the Teachers Registration Board.

265. Nauru Secondary School has established a School Registrar who manages student records and reports with personal information and academic achievement in secure filing systems. In other schools the Personal Assistant to the Principal manages student files. There are electronic copies of each file as well as hard copies for back up. There is still limited financial capacity to provide for a newsletters or school magazines for each school. Only Nauru Secondary School is connected to the internet has an advanced internal search engine for student research.

266. Financial records are still managed at the main office of the Department of Education. This needs to be extended so schools attain the capacity to secure their own financial records, reports and documents. Staff records are still managed at the Chief Secretary Human Resources Section.

267. A framework and guideline exists for quality learning outcomes specifically looking at teaching and learning, teacher professionalism, assessments and curriculum. Teachers are required to hand in term programmes for the approval of the Curriculum Case Unit. Daily Teaching and Learning Plans and a weekly summary of the assessments undertaken to analyze student understanding and effectiveness of the plans are handed in to the Principal of the school for signature and confirmation.

268. Peer support is encouraged amongst teachers through consistent meetings and interactive extra school activities outside of school hours. A Teachers Code of Ethics 2007 exists for the exhibition of ethical and professional behaviours of teachers as role models to students and the wider community. There are eight responsibilities of a teacher to conduct ethical behaviours that centralizes their role as a teacher:

- Responsibility to the profession where they are committed to achieve the highest level of personal integrity, professional competence, and academic achievement for the development of the organization and for those they are responsible for. For example, they must be punctual and on time for each lesson and duty; refrain from smoking in the school premises or where visible to the students; set and mark homework regularly; maintain proper and professional relations with students and colleagues, preventing sexual innuendos; never accept any finance, gratuity, favor, compensation or bribery of any sort that would impair, influence the outcome of reports, example or professional decisions.

- Responsibility to students where teachers will strive for students to reach high standards of intellectual, physical, moral and social development and also protect students form any physical and mental harm. Examples of these responsibilities are teachers will create and maintain safe, healthy settings that encourage student's learning, acknowledge differences and potential in students; protect confidentiality of the student and be patient and fair to students regardless of their race, colour, religion, disability, ethnicity and gender; demonstrate patience and care, especially for students with learning differences.

- Responsibility to extra-curricula activities and sports that encompasses the teachers' part in upholding cultural and current practices through such activities. Teachers should teach students to play by the rules and good sportsmanship; ensure all students the benefits in extra-curricular activities; develop a pride in student's values, traditions and wisdoms.

- Responsibility to colleagues aims to maintain cooperative, cordial and harmonious relationships amongst colleagues, based on openness and respect such as encourage open dialogue when dealing with conflicting issues according to correct resolution procedures.

- Responsibility to parents is that parents advice should be valued and supported by the teachers so they can actively participate in the education of students for example, encourage parents and teachers to share a mutual knowledge and understanding of the child, in ways that benefit the child, acknowledge uniqueness of each family and the significance of its culture, customs, language and beliefs.

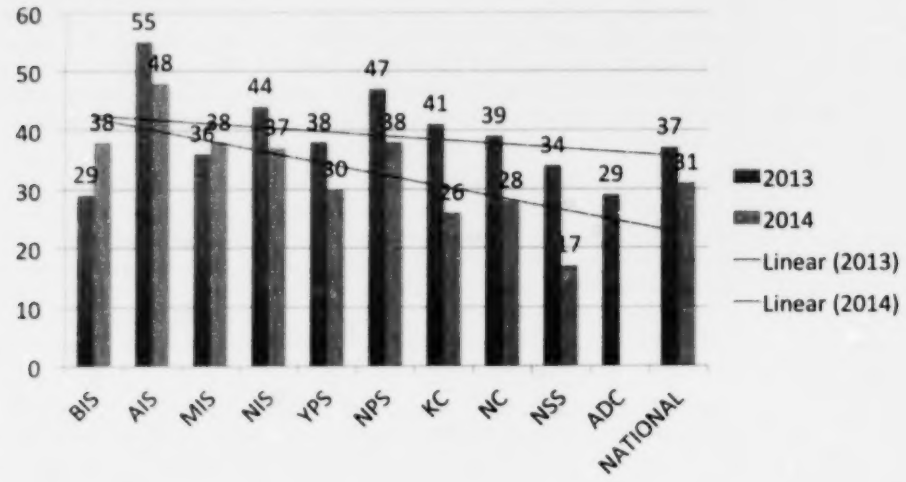
- Responsibility to the Department of Education envisages the obligation of teachers acknowledge respect for lawful authority and the need for mutual cooperation such as maintaining transparency and accountability in all matters concerning the school environment and ensure that school resources are cared for and distributed equally and fairly, or made available when needed, and that they are used appropriately and for the school's purpose.

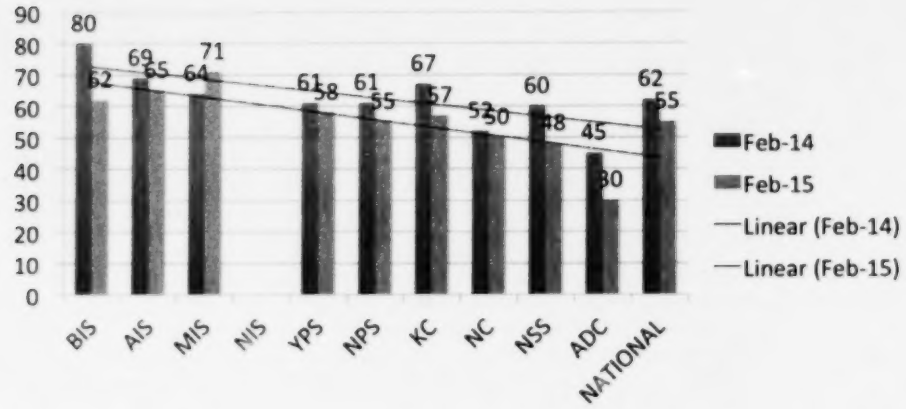
- Responsibility to community and Nation encourages the teacher to help in to create a friendly, cooperative and a constructive atmosphere towards community members and the nation in the interest of quality education such as ensure that traditional and cultural values are embedded in the curriculum.

- Responsibility of community to teachers talks about the obligation of the community to respect and treat teachers fairly, ensuring confidence while attending to their duties without fear or favor while maintaining partnership. For example, ensure that teachers have a right to privacy and to lead a normal life.

269. Children with disabilities are not integrated into mainstream schools but support are readily available. There is a separate school for children with disability(s). There is a need to train teachers on the Convention of the Rights of the Child, although there are some administrative and support staffs who have been trained and awareness programmes are in

place. There is also a need to provide a mechanism where children will be able to relay their complaints or grievances privately.





Source: Extracted from The Department of Education power point presentation on Improving School attendance in Nauru in 2015.

270. The Government provides free transportation to students and free meals (lunch) in school canteens. There is also some discussion on the establishment of a committee which will consist of school administrators, caterers and Ministry of Education officials who will review the nutritional value of meals currently given to students to ensure that students are served healthy and balanced meals in schools. One of the biggest challenges in the Education sector is the high turn-over in teachers who leave to seek employment in other industries. This problem has created a capacity gap which has seen an increase in the recruitment of teachers from other countries. Schools have also increased extra-curriculum activities for students to encourage recreational activities in school.

Rest, play, leisure, recreation and cultural and artistic activities

271. As part of the education curricular responsibility are given to teachers to ensure that extracurricular activities are part of the learning process. The aim of the extracurricular is to allow for personal development growth on subjects that will enhance the overall development of the child. It allows teachers to include cultural and current practices through such activities. Teachers are also encouraged to teach students to play by the rules and good sportsmanship; ensure all students benefits in extra-curricular activities; and to assist in developing pride in student's values, traditions and wisdoms.

X. Special protection measures

Children outside their country of origin seeking refugee protection

272. Nauru currently is host to 642 Asylum Seekers (151 Female and 491 Male) and 523 Refugees (351 Male and 172 Female). All Service Providers are contracted by the Australian Government to provide required education, recreation and welfare services on Nauru to asylum seekers and refugees (including children and their families, childless couples and single adult women). Services in Nauru are supplied under contract with the Commonwealth of Australia through its representative, Australian Border Force. Additionally, services are delivered in accordance with the contract, the RPC Guidelines and associated Codes of Conduct. Nauru currently offers an open centre policy for all asylum seekers. This policy is open to all asylum seekers with unrestricted movement from 9am – 9pm daily.

273. Transfield Services' Welfare team provide education, recreation and cultural programs and activities within Regional Processing Centre 2 and more recently into Regional Processing Centre 3. The delivery within Regional Processing Centre 3 is supplementary to the current programs and activities that are on offer by Save the Children. The purpose of the case management and meaningful activities program is to ensure the well-being of transferees so that they can remain engaged with their status resolution process. These services form part of a holistic, integrated approach to maintaining the wellbeing of the centre and its people. Transfield Services employees work in accordance with the RPC Guidelines and Employee Code of Conduct at all times ensuring the promotion and protection of asylum seeker and refugees rights. In addition to the Welfare support detailed above, Transfield Services provides a range of programs and activities for asylum seekers that will enhance the mental health and well-being of individuals. Programs and activities are both structured and unstructured across a number of program areas including: education; cultural and religious; recreation and sporting programs and excursions. All programs aim to build emotional resilience and cultural spirit, whilst enhancing the wellbeing of the transferees and aim to ensure that transferees are active and motivated whilst at the Regional Processing Centre (RPC).

274. Whilst International Health and Medical Services (IHMS) are the designated medical service provider, Save the Children Australia's care model also includes prenatal and postnatal support for parents, and a maternal and child health program delivered through SCA community health nurses. This model has been developed in consultation with IHMS to ensure that best practice is achieved through collaborative and integrated case management. In addition, recreation services focus on providing both structured and unstructured activities as a means of safeguarding asylum seekers' physical and mental health. Further, SCA's recreation team runs sessions building transferable skills such as cooking, where asylum seekers are able to prepare food in a kitchen and take it back to the RPC for their families.

275. A Vulnerable Children's Meeting Committee has been established to address issues pertaining to the management of cases relating to Asylum Seeker children. Its members include Save the Children (SCA), Australian Border Force, International Health & Medical Services and Wilson's Security. Representatives from the Government of Nauru are Child Protection Services and the Gender Based Violence Unit. Its function is to hold weekly meetings with objectives to strengthen joint networking for an effective management framework of child related cases. In addition, SCA holds responsibility for coordinating the response and investigation, where an incident has occurred involving a child, and making an assessment as to whether police should be notified or referrals to other service providers such as IHMS.

276. In order to help protect children who are particularly vulnerable, Save the Children Australia focuses on ensuring enhanced monitoring and regular reporting of vulnerable children, and escalates individual cases to the Australian Border Force (ABF) and Government of Nauru (GoN) as required. In addition, SCA holds responsibility for coordinating the response and investigation, where an incident has occurred involving a child, and making an assessment as to whether police should be notified or referrals to other service providers such as IHMS.

277. Transfield Services' Programs and Activity schedule is developed for the participation of asylum seekers only albeit some activities are conducted in the community such as recreation activities (soccer), cooking, beach walks etc. Asylum seekers are able to participate in Open Centre arrangement promoting self-agency however there have been events such as the Nauru Fun Run. A committee has recently been initiated (Community Integration Committee) who meet each month and is a collaborative forum for all stakeholders both in the Regional Processing Centre (RPC) and the Nauru Community to liaise and support transitional programs to improve continuity of services asylum seekers and refugees. Additionally, essential services such as health, education, and transportation to name a few are also available to refugees currently living in the community and at refugee centres. .

278. To date there has been no cases of child labour and or exploitation. There is a need to work on documenting labour cases involving children. Provide below are statistics taken from the HIES on labour force participation. The law sets the minimum age of employment at 16. The Department of Human Resources and Labor is responsible for enforcing the law.

Figure 19

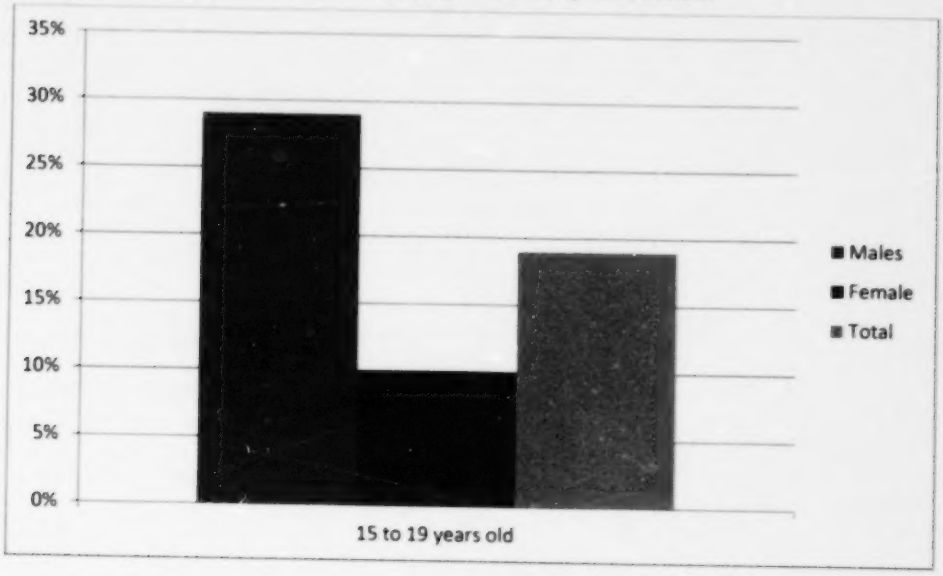
Labour Force Participation populations, 2002 to HIES 2012/13

	Census	*Census*	*Census*	*HIES* 2012/13*		
Working Age (15+)	*Y2002*	*Y2006*	*Y2011*	*Male*	*Female*	***Total***
Total Population	10,065	9,086	10,084	5,207	5,086	**10,293**
Labour Force	3,280	4,106	3,952	2,391	1,493	**3,884**
- Unemployed	746	1,567	906	23	18	**41**
- Employed	2,534	2,539	3,046	2,369	1,475	**3,843**
Not in Labour Force	996	1,109	2,223	786	1,712	**2,498**
Working Age population	4,276	5,215	6,175	3,181	3,211	**6,391**

Note: HIES* = Household Income and Expenditure Survey.

Figure 20

Labour Force Participation rates (LFPR) by age and sex (%) HIES 2012/13



Children in conflict with the law, victims and witnesses

279. Section 23 (2) (a) (b) of the Nauru Correctional Act 2009 provides the guidelines for children in conflict with the law. Additionally, the Corrections Office also apply the International Human Rights Standards for Prison Officials IX. C special categories of Prisoners "Juveniles in Prison" in its work. There are three 3 separation prison to cater for: (a) Male adult; (b) Female adult and (c) juveniles. Families visit are conducted twice weekly. Meals are provided 3 times daily. In terms of education this is facilitated by the Department of Education through youth section provided twice weekly. Additionally courses offered are (a) Basic English session; (b) Basic maths session; (c) Literacy through Music session and (d) House hold development session.

XI. Conclusion

280. The Government of Nauru looks forward to the constructive discussion it will have with regards to this initial report.